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Report on the Workmen's Compensation Act
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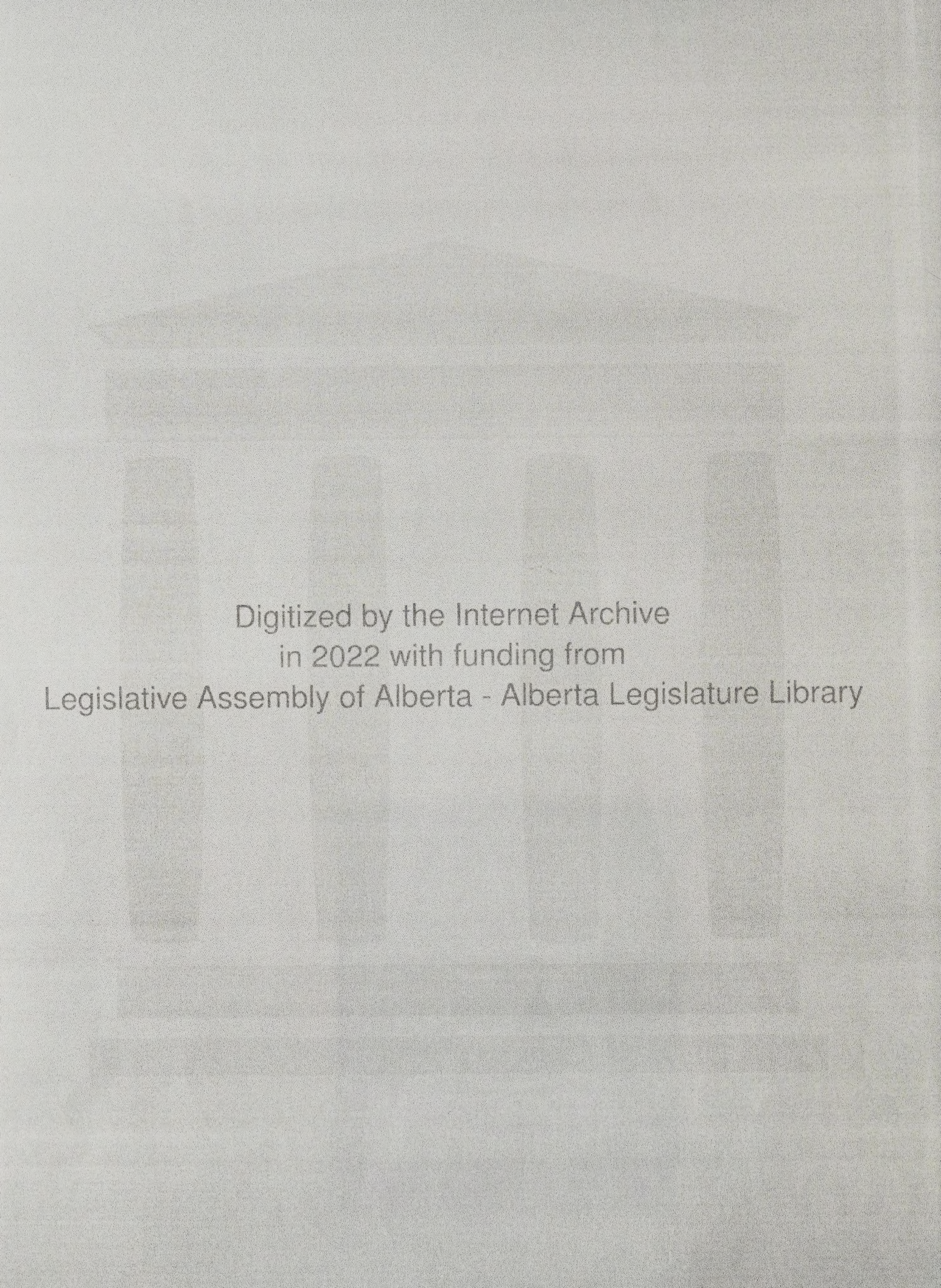
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REPORT ON THE WORKMEN'S COMPENSATION ACT 1973

Alberta



SELECT COMMITTEE OF THE
LEGISLATIVE ASSEMBLY
(The Workmen's Compensation Act)



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REPORT
ON
THE WORKMEN'S COMPENSATION ACT
1973

A L B E R T A
SELECT COMMITTEE OF THE ASSEMBLY
(THE WORKMEN'S COMPENSATION ACT)

TABLE OF CONTENTS

	PAGE
<i>Letter of Transmission</i>	<i>ii</i>
<i>Resolution Establishing the Select Committee</i>	<i>iii</i>
<i>The Honourable L. F. Werry</i>	<i>iv</i>
<i>Preface</i>	<i>v</i>
<i>Summary of Recommendations</i>	<i>vi</i>
INTRODUCTION	1
CHAPTER	
1. BACKGROUND OF WORKMEN'S COMPENSATION IN CANADA	9
2. COMPONENTS OF WORKMEN'S COMPENSATION IN CANADIAN JURISDICTIONS	13
3. THE BOARD	19
4. FINANCING THE BOARD	23
5. THE CONCEPT OF COMPENSATION	31
6. ESTABLISHING THE RIGHT TO COMPENSATION	38
7. CASH COMPENSATION	48
8. THERAPY COMPENSATION	54
9. THE COST OF LIVING AND COMPENSATION	59
10. THE ACCIDENT PREVENTION DEPARTMENT	62
11. THE MANAGEMENT OF THE BOARD	66
12. CONCLUSION	69
FOOTNOTES	73
APPENDICES	
TABLE OF CONTENTS	77
APPENDIX A	78
APPENDIX B	79
APPENDIX C	81
APPENDIX D	86
APPENDIX E	90
APPENDIX F	92
APPENDIX G	94
APPENDIX H	95
APPENDIX I	97

To the Honourable Mr. G. Amerongen,
Speaker of the Legislative Assembly
of the Province of Alberta

The Select Committee of the Assembly, established on May 31, 1972,
by resolution of the Assembly, herewith submits its report and
recommendations for consideration by the Legislative Assembly.

A. E. Hohol

Hon. Dr. A. E. Hohol,
Chairman

Hon. L. F. Werry

G. L. Harle

G. L. Harle

B. W. Diachuk

B. W. Diachuk

D. King

D. King

Kaproski M.D.

Dr. K. R. H. Paproski

A. H. Cooper

A. H. Cooper

C. Drain

C. Drain

J. V. Anderson

J. V. Anderson

RESOLUTION ESTABLISHING THE SELECT COMMITTEE

(FROM "VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY", MAY 30th, 1972)

Moved by Hon. Dr. Hohol, seconded by Hon. Mr. Leitch:

BE IT RESOLVED THAT:

1. A Select Committee of this Assembly be established consisting of the following members:

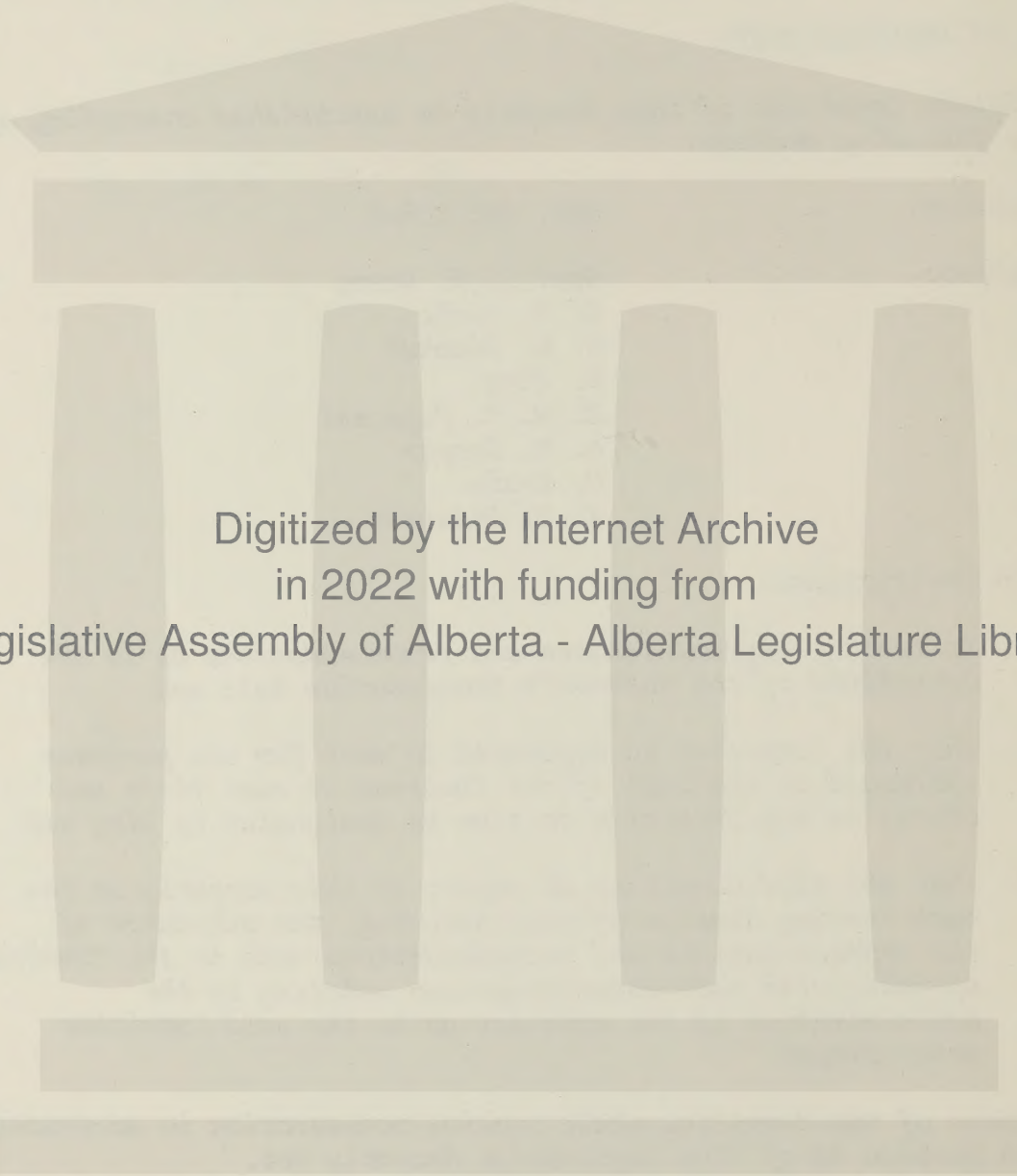
Chairman: Hon. Dr. Hohol

Members: Hon. L. F. Werry
G. L. Harle
B. W. Diachuk
D. King
K. R. H. Paproski
A. H. Cooper
C. Drain
J. V. Anderson

with instructions:

- (a) to receive representations and recommendations as to the operations of the Workmen's Compensation Act; and
 - (b) that the Committee so appointed do meet for the purposes aforesaid at the call of the Chairman at such times and places as may from time to time be designated by him; and
 - (c) that the said Committee do report to this Assembly at the next ensuing Session of this Assembly, the substance of the representations and recommendations made to the Committee together with such recommendations relating to the administration of the said Act as to the said Committee seems proper.
2. Members of the Committee shall receive remuneration in accordance with Section 59 of The Legislative Assembly Act.
 3. Reasonable disbursement by the Committee, for clerical assistance, equipment and supplies, advertising, rent and other facilities required for the effective conduct of its responsibilities, shall be paid, subject to the approval of the Chairman, out of Appropriation 1902.

The motion being proposed, Mr. Speaker declared the motion carried.



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THE HONOURABLE L. F. WERRY

MINISTER OF TELEPHONES AND UTILITIES (1971-1973)

The signature of the Hon. L. F. Werry does not appear on the letter of transmittal which accompanies this report. Mr. Werry died in an automobile accident on Sunday, February 25th, 1973, just before this report was completed.

The Hon. Mr. Werry first served on a select committee studying the operations of the Workmen's Compensation Board in Alberta in 1968, while a member of Her Majesty's Loyal Opposition.

Because of his background, and because of his own deep, personal interest, he had been named as a member of this Select Committee. In that capacity he had provided invaluable assistance to all of the members - assistance with information, with ideas, and with a continuing attitude of compassion and equity.

Much of whatever virtue there is in this report belongs to a man who sacrificed to serve, and died in the midst of service.

PREFACE

The government, on May 30th, 1972, moved a resolution in the Legislative Assembly to establish a Select Committee of the Assembly with instructions to study the operations of The Workmen's Compensation Act, and to recommend on the future of its operations.

The Committee held an organizational meeting on July 12th, 1972, and since that time has held twenty-eight full Committee meetings.

Advertisements requesting the public to submit briefs to the Committee were inserted in Alberta daily and weekly newspapers, and the Committee chairman sent letters requesting briefs to associations, business and other organizations thought to have an interest in the subject. A total of eighty-one briefs were received by the Committee. Public hearings were held in Edmonton and Calgary to provide opportunity for discussion on the briefs submitted.

The Select Committee expresses its appreciation to all who took the time to submit briefs, to research information for the Committee, or to meet with the Committee in discussion. Without the co-operation and assistance of all of the above, the Committee could not have completed this report.

SUMMARY OF RECOMMENDATIONS

The Special Select Committee of the Legislature recommends:

1. *THAT the Commissioners of the Board be appointed for a specified term, not to exceed ten years, subject to renewal.*
2. *THAT the Lieutenant Governor in Council make all regulations under the Act.*
3. *THAT there be established an advisory committee to the Minister responsible for the Workmen's Compensation Board, representing industry, labour, the Workmen's Compensation Board and the Legislature.*
4. *THAT the Board shall consist of a minimum of three Commissioners, one of whom shall be designated as the Chairman, and that it be at the discretion of the Minister to cause the appointment of such additional members of the Board as may be necessary for its efficient functioning.*
5. *THAT the Board explicitly adopt the position of extending compensation for lost wages, reduced earning capacity, and other specific compensation for social or psychological losses not*

easily assessable.

6. *THAT it would be expedient at this time to frame the legislation in terms of universal application and exclusion, rather than restricted application and inclusion.*
7. *THAT the provincial government should not commit itself to any financial involvement with the Board which will not have a definite conclusion at a future date.*
8. *THAT the employer of a workman at the time of his injury be advised by the Board of the decision and reasons for the decision, including a summary of the medical report, the decision of the Board respecting compensation, and, thereafter, any amendment to the decision of the Board.*
9. *THAT every applicant for compensation should receive, as an appendix to the application for compensation, an outline of the operations of the Board, including all appeal procedures.*
10. *THAT at any stage of proceedings at which a workman's claim is disallowed or amended, or payments are halted or amended, the workman should receive a written explanation of the decision and the reasons for it, and advice on appeal.*

11. *THAT any decision of the Claims Department of the Board be subject to review by a Review Committee upon request from either the employer or employee.*
12. *THAT the findings and decision of the Review Committee be the subject of a hearing by a quorum of the Commissioners of the Board, upon request from either the employer or employee, and that there be no appeal from the decision of the Board except to the Ombudsman of Alberta, as presently provided for.*
13. *THAT the decision of the Claims Department respecting permanent disability should be jointly arrived at by two people - a doctor on the staff of the Board, or under contract to the Board, and a staff person of the Board having about six to eight years of experience in all aspects of the operations of the Board, and having experience with the type of work done by the injured workman.*
14. *THAT the Review Committee be composed of senior staff members of the Board, whose responsibilities would be to determine that the decision is based on information which is technically complete and comprehensive.*
15. *THAT upon request from either the employer or employee, any*

findings of the Review Committee with respect to a claim should be heard by a quorum of the Commissioners of the Board, before whom the workman and the employer and/or their agents may appear for the purpose of presenting evidence, including new evidence.

16. *THAT the panels of a quorum of the Commissioners of the Board should, as regularly as required, travel throughout the Province to hold hearings into claims against the fund of the Board.*
17. *THAT hearings of the Board be held in public, except that a hearing or part of a hearing may be privately conducted by the Board for some good reason.*
18. *THAT the decisions of the Board, and the reasons therefor, should be filed with the Secretary of the Board as public information.*
19. *THAT the ceiling on assessable wages be raised to nine thousand dollars (\$9,000.00) per employee, commencing on January 1st, 1974.*
20. *THAT future widows' pensions equal the pension the accident victim would have received if living, and one hundred per cent*

disabled.

21. *THAT allowances for children be consolidated within the pension mentioned in Recommendation Number 20 above.*
22. *THAT payments of death benefits and pensions should be made to the surviving spouse, whether a widow or a widower.*
23. *THAT dependence be defined in terms of economic dependence or support, without any reference to legal marriage or physical disability.*
24. *THAT the phrase "common law wife" in the Act or regulations be changed to "common law spouse".*
25. *THAT the sum of five hundred dollars (\$500.00) be paid by the Board to a dependent widow or widower as a contribution to the additional expense occasioned on the death of a workman.*
26. *THAT the necessary expenses of the funeral or memorial service and the burial or cremation, be paid, to a maximum of four hundred fifty dollars (\$450.00).*
27. *THAT the Board make a new offering to pay out, in lump sum*

payments, all pensions based on ten per cent permanent disability, or less.

28. *THAT legislation be drafted in such a way as to specifically exclude contingent liability.*
29. *THAT the Board pay for home care at the rate of one hundred per cent of the current per diem charge for nursing home care.*
30. *THAT an allowance be payable by the Board for wearing caused by appliances as well as prosthesis, and that the allowance be fifty dollars (\$50.00) for clothing of the upper limb, and one hundred dollars (\$100.00) for clothing of the lower limb.*
31. *THAT the Workmen's Compensation Board and government departments be directed by their respective Ministers to co-ordinate their programs of treatment and rehabilitation in order to provide a broad range of physical and social therapy programs, beyond that chargeable strictly to industry.*
32. *THAT consideration be given to the construction of residence facilities in Edmonton.*
33. *THAT, as much as possible, the Board contract or co-operate with*

other agencies and organizations for the provision of treatment and rehabilitation services on a decentralized basis.

34. *THAT the government, perhaps through the Department of Manpower and Labour, undertake a comprehensive study of the obstacles to the employment of the disabled, including wage differentials, the operation of group insurance and pension plans, and the design of work environments.*
35. *THAT workmen called by the Board for therapy or examination be paid the same subsistence rate in use by the Public Service of Alberta at the time the workman is called for therapy or examination.*
36. *THAT all presently existing, permanent pensions, partial or total, above or below fifteen per cent be maintained at their present level, or adjusted to the corresponding proportion of two hundred seventy-five dollars (\$275.00) per month, whichever is the greater, using contributions from the General Revenue Fund of the Province.*
37. *THAT all presently existing widows' pensions be raised to two hundred twenty-five dollars (\$225.00) per month, using contributions from the General Revenue Fund of the Province, and that all such pensions continue to be supplemented by payments for children at the current rate.*

38. *THAT all permanent pensions, partial or total, above or below fifteen per cent, and all widows' pensions be reviewed annually. Necessary, periodic adjustments in presently existing pensions should be paid for by the General Revenue Fund of the Province. Necessary, periodic adjustments in pensions created after January 1st, 1974 should be paid for by industry, and included in the cost of capitalizing such pensions.*
39. *THAT the enactment and enforcement of safety regulations be transferred from the Board to the Department of Manpower and Labour.*
40. *THAT the responsibilities of other government departments or agencies for the enactment and enforcement of safety regulations also be transferred to the Department of Manpower and Labour.*
41. *THAT safety associations be encouraged for every industry or class. Such associations should be funded by the Board by means of an assessment on every business. It is recommended that participation in the associations should be voluntary.*
42. *THAT the Board institute a system of semi-annual reports to employers and the appropriate safety association on the number, cause, and cost of accidents chargeable to that employer.*

43. *THAT the Board continue to levy superassessments and grant merit rebates, as is presently being done.*
44. *THAT the Board be empowered to assess a particular business at up to one hundred per cent above its conventional, annual assessment for clear, wilful, serious and long-term disregard of good safety practices, as demonstrated by the accident record.*
45. *THAT the Board be empowered to double the preceding year's assessment each year that the accident record continues to show clear, wilful and serious disregard of good safety practices, as compared with the norm in the class.*
46. *THAT the Chairman of the Board be designated as the Chief Executive Officer of the Board.*
47. *THAT a Research Branch be established by the Board.*
48. *THAT the office of the Executive Director be the Chief Administrative Office of the Board, and that the office of the Executive Director be relieved of responsibility to the Board in connection with any of its policy formulating or adjudicative functions.*

49. *THAT the cost of the recommendations contained in this report and recommended to be paid by industry, should be amortized over ten years.*
50. *THAT a new Workmen's Compensation Act be introduced for passage by the Legislature, embodying the recommendations of this report.*
51. *THAT the Special Select Committee continue to function throughout the remainder of this Session of the Legislature, in order to evaluate response to this report.*

INTRODUCTION

From time to time, in virtually all Canadian jurisdictions, a review is undertaken, at the direction of the government, of the provincial workmen's compensation program. This Committee, in carrying out its instructions, believes that such reviews are necessary for many reasons, among them the following:

- (a) the program exists by virtue of provincial legislation and can only be changed by the provincial Legislature;
- (b) the actual funding employers have no right of investigation or review;
- (c) the workman served has no right of investigation or review;
- (d) the program is almost universal;
- (e) benefits fall behind the increase in the cost of living; and
- (f) other programs and services exist upon which the Board must be encouraged to draw.

Three methods of review have been used across Canada from time to time.¹ The one most frequently used is the Royal Commission, sometimes referred to as a Public Inquiry or Judicial Inquiry. The next most frequently used is the Special Select Committee of the

Legislature. Used less often is a Standing Committee of the Legislature, as in Ontario in 1972.

In Alberta, the practice has been to appoint a Special Select Committee of the Legislature once during the life of each Legislature, that is, about every fourth year.²

Based on our present experience, the Committee sees two advantages to this type of review. The Special Select Committee is political, that is, its members are legislators. This Committee believes that it has considered workmen's compensation in its whole social context.

A Special Select Committee brings together a group of people with varied backgrounds, outlook and training. The Committee is required to do only one job, that is, review the Workmen's Compensation Act and its administration.

In the performance of this job, directed by the Assembly, the Committee has been involved in a constant process of synthesis.

The Committee first undertook to become familiar with the basic operations of workmen's compensation in Alberta and in other jurisdictions. Meetings were held with the Board and its staff. The legislation, annual reports, and some of the periodic reviews of other jurisdictions

were studied.

Virtually the first decision made by the Committee was that the organizations and people involved in or affected by the Board should have a real opportunity to contribute to the work with information and suggestions. An invitation to make submissions to the Committee was published throughout Alberta.

As preparations were made for these hearings, the Special Select Committee met with the Board, and continued the study of the operation of workmen's compensation in other Canadian jurisdictions and in the United States.

The response to the invitation for submissions was considerable, both in terms of quality and quantity. Hearings were held, at which the Committee benefited from discussing with the authors, the detail of their ideas.

As a consequence of this valuable information, the Committee followed up on the hearings by:

- (a) commissioning independent studies of specific features of the operations of the Act;
- (b) gathering additional information on the administration of

- the Alberta Act and comparable Acts in other jurisdictions;
- (c) holding additional meetings with the Board and staff;
 - (d) holding numerous meetings of Committee members only to think out and articulate ideas;
 - (e) holding additional meetings with some of the most knowledgeable people in North America on the topic of workmen's compensation;
 - (f) studying the results of comparable reviews in other jurisdictions at other times; and
 - (g) studying the history of the concept.

The result was constant inter-action between the Committee, the Board, employers, employees, other interested parties, and consultants. Sometimes the Committee has been anticipated, and sometimes it has been reinforced in a view already held, and sometimes it has been persuaded to modify or give up a position. In all cases, the Committee has been aided in understanding the strengths and weaknesses, the capacities and defects in the principles, administrative procedures, and results of the operation of the Workmen's Compensation Act in this province.

The Special Select Committee has concluded that a thorough review must include historical and comparative information, as well as dealing with the Alberta situation in a very comprehensive way.

The body of the report is in two parts. Part One includes a very brief history of workmen's compensation, and a description of the components of most workmen's compensation programs in Canada.

In the first section, the Committee has attempted to be historical and objective.

Part Two of the report deals with the operations of the Act in Alberta. The chapters are both descriptive (dealing with what is), and prescriptive (dealing with what should be). Recommendations which the Committee believe will achieve a number of positive ends have been made. Among these positive ends might be included:

- (a) a clear statement of the principles of workmen's compensation;
- (b) a statement of the responsibilities of employers and employees;
- (c) a statement of the responsibilities of the Board respecting efficient administration, and benefit to the workman; and
- (d) a statement of the role of government.

The observations of the briefs have not often been specifically referred to in this part. Yet, the Committee emphasizes that these

submissions have been of great benefit.

For a better understanding of the report of the Special Select Committee, a number of principles should be briefly stated.

The Special Select Committee believes that workmen's compensation must (in order of priority):

- (a) minimize accidents and loss from accidents;
- (b) rehabilitate injured workmen to gainful and economically comparable employment; and
- (c) compensate injured workmen, or their dependents, for lost wages, reduced earning capacity, and other specific losses resulting from work-related accidents.

In making this statement, the Special Select Committee emphasizes that industrial safety must be positive and must be more all-encompassing than previously - including as well accident prevention, industrial health, pollution control and consumer use. As well, the absence of a more comprehensive rehabilitation program is costly, not only in terms of workmen's compensation, but for society as a whole.

When accidents occur, and to complement treatment and rehabilitation, cash compensation is paid to the workman. In cases where compensation is

permanent, it must be reviewed periodically, having regard for changes in the cost of living.

The Special Select Committee emphasizes that the concept does not infer any eventual penalty for permanently disabled workmen simply because they were permanently, rather than temporarily, disabled.

The Special Select Committee believes that workmen's compensation should operate only with respect to work-related accidents, and should operate for the benefit of the workman, without consideration of the fault of the workman, with the sole exception, as stated in the present Act, of serious and wilful misconduct. For these two reasons, preventive safety programs are additionally important.

The Special Select Committee believes that the workmen's compensation program should continue to be administered by a Crown corporation, with exclusive jurisdiction in adjudication and administration.

Two qualifications are, however, important. The first is that the Legislature must provide the Board with the capability of responsiveness to changing economic and social conditions. This involves a number of things, including a briefer, more flexible Act, more frequent review of the program and its benefits, better communications by the Board and staff to labour and industry.

The second qualification is that the Board must operate courteously, expeditiously and efficiently on behalf of both employers and employees. The Board must extend the benefit of "a doubt" to the workman.

At this time, it would be appropriate to point out that, in the Committee's view, workmen's compensation is not a welfare program. It relates directly to previous economic activity, and is entirely unrelated to the workman's financial obligations. It is not consistent with the concept of workmen's compensation to expect that it will provide relatively more for a sick or injured workman than he provided for himself when well.

The Special Select Committee believes that a program of compensation should be funded by employers on a collective liability basis, as a legitimate cost of doing business. A qualification is that we believe government should bear the cost of providing additional benefits to presently existing claims.

These principles underlie the body and recommendations of this report.

In 1910, the Government of Ontario ordered a Commission of Inquiry to investigate and report on workmen's compensation. The Commissioner, Sir William Meredith, Chief Justice of the Supreme Court of Ontario, submitted his final report and draft legislation in 1914.³ The suggested legislation was adopted by the Legislature and became law on January 1st, 1915.⁴ In 1915, similar laws were enacted in Nova Scotia; 1916 in Manitoba and British Columbia; 1918 in Alberta and New Brunswick; 1929 in Saskatchewan; 1931 in Quebec; 1949 in Prince Edward Island, and 1951 in Newfoundland.⁵

The speed with which workmen's compensation was enacted by most jurisdictions subsequent to Sir William Meredith's report indicates that there must have been a real need - as indeed there was.

Prior to that time, a workman injured in Canadian industry had had to rely on his common law rights to recover compensation from his employer. This meant that he had to show negligence on the part of his employer, and the workman, in turn, was faced with the defence (by his employer) of the doctrine of common employment, contributory negligence, assumption of risk, and the negligence of fellow workers. If any of these could be proven, the workman could

not recover damages from his employer. In any event, litigation was a slow, expensive process.

This was also a time of rapid industrialization for Canada, especially in Ontario. The labour component involved non-skilled, or only partially-skilled labour, who had little protective labour legislation or programs. Accidents and death occurred frequently.

At the same time, industry also suffered some loss because of this situation. Occasionally, they had to pay the cost of fighting a claim in court. Less frequently they had to pay damages awarded an injured workman. Accidents could shut down plants. Labour unrest increased. The public relations of industry suffered, and with it, their effective ability to protect their interests at a political - social level.

The Chief Justice recommended that both industry and labour should give up some rights in order to secure others, on the following basis:

- (a) that compensation without fault for work injuries must be considered an ordinary cost of doing business;
- (b) that such compensation should be paid from a fund acquired entirely from industry, on a collective liability basis; and,

(c) that adjudication and administration with exclusive jurisdiction should be by an independent Crown Commission in order *"to avoid the cost and delays of litigation in the courts."* ⁶

Mr. Justice Charles W. Tysoe, of the Supreme Court of British Columbia, in a report for the government of British Columbia, quoted an earlier report, also for the government of British Columbia, done by Chief Justice Sloan. Mr. Justice Sloan had stated:

"... that the adoption of a Workman's Compensation scheme was done with the deliberate purpose of abandoning common law remedies, duties, rights and obligations. Other rights, different in concept and inclusive in operation, were substituted. Both workman and employer had each to forego common law rights in a compromise for the common good. The primary right relinquished by labour was the chilly one of attempting to recover damages in common law from an employer protected by a wall bristling with almost impregnable defences.

"Under the Act, an injured workman is entitled to compensation, notwithstanding the fact that his employer is not in the slightest degree negligent, and in almost one hundred per cent

of injury cases, the workman is now entitled to be paid compensation, in contrast with the common law recovery of damages in only twenty to thirty per cent of injury cases, and only then after a protracted and anxious bout with the law."

Mr. Justice Tysoe went on to state:

"It would not be right were I to omit to say that in my opinion, employers are also better off than they would be were the Act not in force. They are relieved of the expenditure of time and money, contesting workmen's claims against them in the Courts and of the ill-feeling that is generated by hard fought legal battles." ⁷

The concept first worked out by Sir William Meredith (1910-1914) is still basic to workmen's compensation across Canada. It is designed to provide compensation to the injured workman and his family, at the time of need, without unduly burdening his employer, in return for which the workman's right of action against his employer is taken away; to rehabilitate the injured workman by providing adequate medical treatment and by other programs, and to return him to employment as quickly as possible; to see that accident prevention work is carried out.

In each province, the Workmen's Compensation Board exists as the result of provincial legislation, which creates a board of commissioners, appointed by the provincial government.

In Alberta, the Workmen's Compensation Board exists by virtue of Chapter 397 of The Revised Statutes of Alberta, 1970. There are three commissioners who, when appointed, serve until age seventy, subject only to removal *"for cause on address of the Legislative Assembly."*⁸

The commissioners *"may appoint such officers as (they) deem*

*necessary for carrying out the provisions of the Act, and may prescribe their duties and fix their remuneration."*⁹ In addition, the commissioners *"may delegate all or any of (their) powers of administration, adjudication and review to such officers of (their) staff as (they) designate."*¹⁰ Such staff hold office *"during the pleasure of the Board."*¹¹

The decisions of the Board are final, and are subject to review only by the Board itself, except in Newfoundland, New Brunswick, Nova Scotia and Prince Edward Island, where the Acts permit an appeal to the Supreme Court of the province on questions of law and jurisdiction.¹² In Alberta, while there is no appeal to the courts,¹³ Section 19.14 provides that where the Ombudsman, having investigated a complaint, reports to the Lieutenant Governor in Council that, in his opinion, *"an injustice or hardship to a workman has resulted, or will result, the Lieutenant Governor in Council may direct the Board:*

- (a) *to pay to or on behalf of the workman from the Accident Fund such amounts as the Lieutenant Governor in Council considers appropriate; or,*
- (b) *to refer the matter to the Supreme Court for an assessment of damages and to pay to or on behalf of the workman*

from the Accident Fund the amount of the damages so assessed."

Administrative procedure is intended to be informal, and simplified so that payment to the workman may be made promptly and when most needed - that is, during convalescence. The decisions are made on real merits and justice: the boards are not bound to follow strict, legal precedent.¹⁴

The board of each province has the right to review, alter, rescind, or reinstate any decision already made.¹⁵ This guarantees the workman the right to have his claim reviewed at any time. His claim is never closed as long as he is alive.

The workmen's compensation Acts provide for the payment of compensation where the workman suffers personal injury by accident arising out of and in the course of his employment,¹⁶ except where the disability lasts less than a certain number of days,¹⁷ or where the workman is guilty of serious and wilful misconduct.¹⁸ The same applies to industrial diseases.¹⁹ There is also provision for unlimited medical, surgical, hospital and nursing services.²⁰

Compensation for temporary disability is paid weekly, or bi-weekly, until the disability is terminated. In cases of residual

or permanent disability, the compensation is paid in a lump sum where the disability is minor,²¹ and by way of a monthly pension for life where the disability exceeds a specified percentage.²² In the case of death by accident, fixed monthly payments are made to dependants.²³

In British Columbia and Quebec, periodic increases in the pension payable to widows and permanently disabled workmen are based on changes in the Consumer Price Index and the Quebec Pension Index respectively.²⁴

The right to compensation extends to all workmen employed in any industry to which the Acts, or the main part of them, apply.²⁵

In all provinces except Alberta, Saskatchewan and Quebec, it is stipulated that a workman not within the system of workmen's compensation has right of action against his employer for injury sustained in an accident caused by any defect in the machinery or plant of the employer, or caused by his negligence or that of any persons employed by him. The fact that the workman continued in the employment with the knowledge of any defect or negligence is not a bar to the recovery of damages.²⁶

The Acts are of the collective liability type, and benefits

are paid out of an accident fund to which employers contribute by way of an assessment on the wages of the employees.²⁷ The rate of assessment varies according to the hazard and the type of industry.²⁸ The only exceptions to this are in Alberta, Ontario and Quebec. The Ontario and Quebec Acts specify that certain corporations, such as railways, shipping, telephone and telegraph companies, are individually liable to pay the compensation.

In Alberta, the following industries are individually liable to pay compensation costs on a deposit, or actual cost, basis:

Alberta Government Telephones
the various universities
the Alberta Liquor Control Board
the Alberta Housing Corporation
Canadian Pacific Railways and Canadian Pacific Air
Canadian National Railways and Air Canada
Northern Alberta Railways Co.

By virtue of the (federal) Government Employees' Compensation Act, federal government employees receive the protection of the various provincial Acts. Jurisdiction is vested in the Board of the province in which the employee is usually employed.²⁹

In Alberta, as well as in Ontario and Quebec, the provincial governments are individually liable to pay the compensation.³⁰

Rehabilitation of the injured workman is one of the most important functions of the Boards. Claims are meant to be quickly paid in order to relieve stress and worry. Treatment is provided to reduce the disability to a minimum. Where necessary, training and other rehabilitation measures are given to enable the workman to resume gainful employment. Some of the Boards, including Alberta, have set up rehabilitation centres where active treatment is given to alleviate disabilities that might otherwise become serious handicaps.

Accident prevention is an essential part of any workmen's compensation system. In every province, except Manitoba, the Acts provide that either employers or the Board itself carry out accident prevention measures and education. In Manitoba, the Department of Labour is responsible for this program.³¹

PART TWO

The present Board consists of three Commissioners with one of these being appointed Chairman. The term of appointment is to the age of seventy years. The Committee received recommendations in the briefs submitted that the Board be appointed for a limited period of time, not extending beyond the age of sixty-five years, the normal age of retirement in the large majority of government and non-government organizations.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE COMMISSIONERS OF THE BOARD BE APPOINTED FOR A SPECIFIED TERM, NOT TO EXCEED TEN YEARS, SUBJECT TO RENEWAL.

The detailed study of the Act revealed to the Committee that the majority of sections were devoted to day-to-day operations, which should more properly be included in regulations under the Act. The Board has authority under the Act to make regulations and to enforce them. The Committee, however, is of the opinion that it would be reasonable to place the responsibility on the government for the making of regulations that give effect to the policy of the Legislature.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE LIEUTENANT

GOVERNOR IN COUNCIL MAKE ALL REGULATIONS UNDER THE ACT. THE BOARD WOULD CONTINUE TO BE RESPONSIBLE FOR ENFORCEMENT, AND FOR SUGGESTING CHANGES.

The Committee is aware that the above recommendation is a notable departure from the practice previously followed in Alberta with respect to making regulations under the Act.³²

We affirm the importance of an independent workmen's compensation program. Yet the complaints directed against the Act relate primarily to administration and its inflexibility, complexity, slowness and cost. Because workmen's compensation deals almost entirely with people having a heavy financial or emotional interest in its operations, its general administrative features must reflect the policy of the Legislature.

For this reason, the Committee is of the opinion that there is a need for a continuing review of legislation, regulations and procedures which would enable change to take place in response to need.

THE SPECIAL SELECT COMMITTEE RECOMMENDS AN ADVISORY COMMITTEE TO THE MINISTER RESPONSIBLE FOR THE WORKMEN'S COMPENSATION BOARD, REPRESENTING INDUSTRY, LABOUR, THE WORKMEN'S COMPENSATION BOARD

AND THE LEGISLATURE. SUCH A COMMITTEE WOULD NOT SUPERCEDE PERIODIC SPECIAL SELECT COMMITTEES, BUT IT WOULD ADVISE THE MINISTER ON CHANGES TO THE ACT AND REGULATIONS; AND CONSIDER ANY OTHER MATTER REFERRED TO IT BY THE MINISTER.

The continuation of the Board as a Crown corporation, and the existence of an advisory board, the members of which have a vested interest in the independence of the Board, seems a sufficient guarantee of Board autonomy.

Board autonomy reinforces, and is reinforced by the strength of the Board itself.

A strong Board is essential for two equally important reasons, both of which have been raised in many of the submissions received.

The Board is ultimately responsible for administration. (See Chapter Eleven).

The Board is ultimately responsible for determining the level of benefits.

Because of the increasing complexity associated with both responsibilities, and because of their importance, *THE SPECIAL SELECT*

COMMITTEE RECOMMENDS THAT THE BOARD SHALL CONSIST OF A MINIMUM OF THREE COMMISSIONERS, ONE OF WHOM SHALL BE DESIGNATED AS THE CHAIRMAN, AND THAT IT BE AT THE DISCRETION OF THE MINISTER TO CAUSE THE APPOINTMENT OF SUCH ADDITIONAL MEMBERS OF THE BOARD AS MAY BE NECESSARY FOR ITS EFFICIENT FUNCTIONING.

The Workmen's Compensation Board operates almost entirely with funds received from industry.³⁴ Every company whose employees are covered pays an assessment based on a percentage of payroll, to a maximum payment calculated on seven thousand six hundred dollars of payroll per employee.³⁵ The actual rate varies from industry to industry, and from company to company, depending on the level of risk.³⁶

This level of risk is classified, that is, every industry can be found in a table,³⁷ which groups together activities on the basis of the following considerations:

- (a) a similar hazard as shown by cost experience;
- (b) similar physical conditions; and
- (c) a large enough annual revenue to provide financial stability to the class.

The rate for each classification is computed on the basis of the accident experience of the industry, or industries, as a whole during the previous five calendar years.³⁸ If the assessment levied against a class in one year is too low to cover the cost of compensation for accidents, the rate will be raised the

next year. The reverse is also true.

The Board meets with interested employer associations and groups before setting the rate for the coming year.

In computing the rate of assessment for a class, provision is always made for the maintenance of a reserve³⁹ or class balance. If the class balance is adequate, it may delay the increasing of the rate of assessment because of high compensation costs in a single year, or may bring about a reduced rate sooner if the cost experience of the class is improving.

Within each classification, a separate record is kept for each business operation.⁴⁰ A credit, called a merit rebate⁴¹ may be earned by a company, or a penalty, called a superassessment,⁴² may be charged to a company on the basis of deviation from a fixed ratio of accident costs to assessments. This ratio is the same for all employers and all classes that participate in the merit plan. In this way, accident prevention is encouraged.

This procedure of assessment based on classification is used, as was mentioned earlier, to fund the operations of the Board, including administration, compensation, rehabilitation and safety programs.

THE LARGEST SINGLE COST IS FOR PERMANENT DISABILITY PENSIONS.

Whenever medical evidence indicates that a work-related accident or disease has caused permanent disability, the Board is obliged to establish a level of compensation and pay it for life, or until there is a change in the disability which has the effect of modifying upward, or downward, the level of compensation.⁴³

In order to be able to meet this obligation, the Board funds every pension at the time that it is established.

Using actuarial tables, the Board then sets aside a lump sum of money which, together with the interest accruing at the rate of five percent per annum on the decreasing balance, will provide a pension during the workman's lifetime. The total of these amounts is invested periodically in long-term securities, which represent the largest proportion of the Board's investment portfolio.

The Accident Fund in each year must pay the total present, and anticipated future, costs of almost every accident which occurs in that year. There are three specific exceptions to this:

1. Some accidents are charged in part to a Reserve Fund for Enhanced Disabilities.⁴⁴

Sometimes a workman already has a disability when he has an accident, and the previous disability results in the disability from his accident being greater, or "enhanced".

An example of this situation is that of the eyes. A workman can lose the sight of one eye and still be able to do most of the activities which were done before the accident. If, however, the workman loses the sight of his second eye, he is totally disabled.

The "Enhanced" Reserve, like most of the other specific reserves, allows for fair payment to the workman, and, at the same time, does not penalize a specific employer by charging his experience, or his class, with a cost that might not be his responsibility.

To continue using the eyes as an example, if the loss of vision in one eye represents a disability of fifteen per cent, the loss of vision in the second eye nevertheless represents a one hundred per cent disability, or an additional disability of eighty-five per cent. On the other hand, if, at the time of the second accident, the workman had had the use of both eyes, the resultant disability would only have been fifteen per cent. The employer at the time of the second accident is

therefore charged only with the costs equal to fifteen per cent disability, and the other seventy per cent is charged to the Reserve for Enhanced Disabilities.

All classes contribute an equal percentage of their net assessment to this Reserve.

The Reserve for Enhanced Disabilities should be actively publicized by the Board in such a way as to make clear the protection that it offers any employer who contemplates hiring an already disabled workman.

2. The Reserve for Rehabilitation⁴⁵ is another reserve to which all classes contribute an equal percentage of their net assessment. In 1971, that charge was two per cent.

This Reserve pays the cost of all rehabilitation work done by the Workmen's Compensation Board.

3. The final reserve is the Reserve for Disasters.⁴⁶ Although it is used as a rate stabilization reserve and the classes are expected to eventually cover the costs charged from an accident, whether or not more than one workman is injured, which exceeds a specified amount, its primary purpose is to set aside funds

that would cover the costs of a disaster or catastrophe.

When one considers that a one hundred per cent disability pension to a thirty year old workman could cost over one hundred thousand dollars for the capital value of the pension award alone, and that a pension to a widow with four children may cost more than thirty-five thousand dollars, it can be seen that an accident that injures and/or kills a number of workmen could be very costly, and could seriously affect the financial structure of any class or the Board, were there not a place to charge these costs.

As the above demonstrates, the investment policy followed is important. The greater the yield on the investment, the less the initial cost of capitalizing the pensions.

The briefs of a number of industries criticized the investment policy of the Board. The main concern was that higher than necessary funding was practised by the Board because of lower than average yield on investment.

A study was commissioned by the Special Select Committee, and carried out by the investment counselling firm of McLeod, Young and

Weir (Workmen's Compensation Board Portfolio, September, 1972). The study confirmed the main points of concern.

"... the W.C.B. fund has fared rather poorly over the period shown (1966-1970) ... Basically, the limitations lie in the narrow range as well as choice of investments - i.e. they consist almost entirely of the Government of Canada and provincial issues, which historically have had lower rates of return." (Page 2)

The study illustrates that the real growth rate of this portfolio has been negative since 1964.

McLeod, Young and Weir suggest that the yield on investment could easily approach seven per cent per annum, without giving up a basically conservative approach, if the investment was administered with daily attention.

The same serious concern expressed in many of the briefs with respect to the investment policy of the Board was, at the same time, attracting the attention of the provincial government, with respect to the investments which it held itself on behalf of departments and agencies.

In the fall of 1972, the provincial government announced its intention to create, within the Treasury Department, an investment management division, staffed by experienced, professional people, for the purpose of managing government investments on a full-time basis, as counsel for the departments or agencies holding investment portfolios.

The Special Select Committee concurs in the decision of the provincial government to appoint the investment division to the management of the investments of the Workmen's Compensation Board, on a full-time, professional basis.⁴⁷

In the view of the Committee, compensation may be established at one of three levels. Rehabilitation is common to all three levels.

At the first level, compensation is for wages lost. That is, compensation during the term of the pension is strictly related to the interruption of earnings, and the term of the pension ends when the interruption of earning ends.

At the second level, compensation is for wages lost and reduced earning capacity. That is, compensation is not related solely to the actual earnings of a workman at the time of the accident. Rather, it is related to the fact that any disability reduces the variety of employment available to a workman - it reduces his capacity to earn, although it may not reduce his actual earnings.

At the third level, compensation is for lost wages, reduced earning capacity, and specific other compensation for losses not easily assessable.

It seems clear that the original workmen's compensation program was based on the loss of actual wages. Indeed, this continues

to be the theoretical foundation of all workmen's compensation in Canada today. The formula for establishing the pension payment relates a percentage of disability to the earnings of the workman at the time of the accident.

Yet, with the passage of time, the theory and the practice of workmen's compensation have diverged in all jurisdictions in Canada.

In Alberta, for example, pensions for permanent disability are paid for life, in spite of the fact that the interruption of earnings does not continue for life. Indeed, in specific cases, the earnings of an injured workman are actually increased by the process of rehabilitation, paid for by the Board, which results from an accident.

Also in Alberta, the operations of the Disability Evaluation Committee, the right of appeal to the Ombudsman for exceptional assistance, and the payment of the widows' and dependants' pensions in the particular way that it is done here, all demonstrate that compensation is paid for additional, specific damages.

*THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE BOARD
EXPLICITLY ADOPT THE POSITION OF EXTENDING COMPENSATION FOR LOST*

*WAGES, REDUCED EARNING CAPACITY, AND OTHER SPECIFIC COMPENSATION
FOR SOCIAL OR PSYCHOLOGICAL LOSSES NOT EASILY ASSESSABLE.*

The Committee would make a number of comments in support of this position.

1. To some degree, this is already the practice.
2. The development of the practice is a practical recognition of changes in conditions since 1915. For example, the extension of the coverage of workmen's compensation has resulted in fewer opportunities for recourse against parties to an accident. During the same period, the economic impact of social and psychological losses has been more and more recognized.
3. The development of the practice is a practical recognition of the impact of psychological or social loss on the mental health of the workman and, consequently, the effective rehabilitation of the workman, and his lifelong ability to make his optimal economic contribution.

There is no question in the mind of the Committee that psychological and social loss results from disabling accidents, and, in some cases, is of such magnitude as to disrupt or end the economic

capacity of the workman.

The Committee expresses the firmly held view that in no case should compensation exceed some partial portion of the earnings of the workman at the time of the accident, and on behalf of the work being done in connection with which the accident occurred. Any other course is administratively and financially impossible for either the Board or industry. It is also contrary to the concept that, under no circumstances, should industry pay more than a portion of the wages which the workman would have earned if he had continued in employment.

Aside from the level of compensation, two other features are important to the concept.

The first is the extent of coverage. To date, workmen's compensation has expanded through the work force from the basic, labouring force. The effect is almost universal coverage.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT IT WOULD BE EXPEDIENT AT THIS TIME TO FRAME THE LEGISLATION IN TERMS OF UNIVERSAL APPLICATION AND EXCLUSION, RATHER THAN RESTRICTED APPLICATION AND INCLUSION.

In the view of the Committee, exclusions would involve:-

- workmen on farms, or in the home, who earn less than one thousand two hundred dollars (\$1,200.00) annually, and are not engaged in primarily mechanical operations.
- self-employed operators who do not apply to be covered, including people working for fees, commissions, royalties, or under contract.

The last, important feature of the concept is related to the effect of inflation.

The single, most difficult problem with which the Committee has had to deal (and this appears to be the case with most reviews in most jurisdictions), is the one of up-grading old, permanent pensions, either partial or total.

At least until the conclusion of World War II, annual inflation did not significantly affect these pensions. But, from 1946 on, inflation has had a constantly eroding effect, and at the present time, there are no concrete indications of any future change in this pattern. The rate of inflation does, however, vary greatly from year to year and appears, over time, to average three per cent per annum.⁴⁸

In 1915, at the time of Sir William Meredith's report, the concept enunciated was that the injured workman should be compensated for wages lost. If the disability lasted over a lifetime, the pension was expected to as well. Compensation was computed at a constant rate because inflation was unknown. It was felt that the workman should live as well in the future as at the time of injury.

To achieve a comparable goal today, some account must be taken of the cost of inflation. Consistent with the recommendation of Sir William Meredith, industry should be charged the cost of ensuring that no injured workman suffers from a deterioration of his economic position relative to the society as a whole.

For presently existing, permanent pensions, both partial and total, industry cannot fairly be asked to bear the burden of upgrading. These pensions have been capitalized from the assessment of industries which, in some cases, no longer exist. In other cases, the rate of assessment has changed.

The Special Select Committee recommends a course which has important implications - government participation in respect of existing pensions.

It is important to note at this time that all recommendations

for the expenditure of money from the General Revenue Fund of the Province have two important qualifications. The first is that the Special Select Committee does not recommend capitalization. Costs are estimated, for the first full year of operation, on a recurring basis.

The second important qualification is that government involvement with pensions is strictly limited to existing pensions. Therefore, while on the one hand costs might be expected to rise with the cost of living, on the other hand, there will be an annually declining number of pensions to be serviced. Eventually, the government participation will end altogether. *THE SPECIAL SELECT COMMITTEE RECOMMENDS MOST STRONGLY THAT THE PROVINCIAL GOVERNMENT SHOULD NOT COMMIT ITSELF TO ANY FINANCIAL INVOLVEMENT WITH THE BOARD WHICH WILL NOT HAVE A DEFINITE CONCLUSION AT A FUTURE DATE.*

The Act requires that accidents be reported to the Board as soon as feasible by the injured workman, the employer or his agent, and the attending doctor.⁴⁹

In the majority of cases, these three reports are sufficient. However, more complicated reporting is required for such claims as hearing loss, heart attacks, silicosis, recurrent back problems, and many fatal accidents. In these cases, a representative of the Board may visit the site to conduct interviews and/or tests, investigate employment and work histories and personally observe the scene of the accident. Alternatively, the medical officers of the Board may call a workman in for examination by themselves, or by an advisory panel of three specialists.⁵⁰ Consultation with the attending physician may take place.

Because of the interest of the employer, *THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE EMPLOYER OF A WORKMAN AT THE TIME OF HIS INJURY BE ADVISED BY THE BOARD OF THE DECISION AND REASONS FOR THE DECISION, INCLUDING A SUMMARY OF THE MEDICAL REPORT, THE DECISION OF THE BOARD RESPECTING COMPENSATION, AND, THEREAFTER, ANY AMENDMENT TO THE DECISION OF THE BOARD.*

Such investigations are also made in cases where the employer indicates he is not satisfied an accident occurred as claimed, the attending physician states there may be misrepresentation, or if adjudication or medical staff feel investigation is necessary to arrive at a correct decision.

Disability is assessed basically from a medical (anatomical) stand-point. Non-medical circumstances and circumstances unrelated to the compensable injury do not affect the assessment of the disability.

But, the Board is beginning to go beyond a strictly anatomical assessment.

The Disability Evaluation Committee was first formed January 15th, 1970, and is made up of a Chairman and two members.⁵¹ The Pension Supervisor serves as the Committee Chairman. The Director of Vocational Rehabilitation and a Senior Medical Officer are the other two members.

The purpose of the Disability Evaluation Committee is to consider additional factors beyond medically assessed impairment for workmen who, following compensable injury, are left with permanent disability.

The Disability Evaluation Committee reviews all cases of workmen with permanent disabilities who have a non-scheduled disability⁵² of more than five per cent of total, or a scheduled disability of more than ten per cent of total. The Disability Evaluation Committee also considers any claims which the Director of Claims, Assistant Director of Claims, Claims Supervisor, Claims Advisor, a Unit Supervisor, Director of Vocational Rehabilitation, or a senior Rehabilitation Officer feel should be considered.

In determining whether or not any additional assistance is required above the anatomical or medical impairment, the Committee considers many factors, but basically have regard for the workman's ability to return to the type of employment in which he had been engaged at the time of the accident. If it is apparent that the workman cannot return to his former type of employment, the Committee then takes into consideration the ability of the workman to adapt to some other form of gainful employment. The Committee then determines if an additional assessment should be included in the workman's permanent disability pension, or whether any additional assistance should be granted to the workman, such as payment of a temporary supplementary allowance, or additional vocational rehabilitation.

After a decision has been made, the workman, if dissatisfied, has four more levels of appeal.

The Claims Department is free to reconsider and change or amend its decision upon receipt of new information. If the decision cannot be changed, the workman or employer is advised of his right to request that his case be considered by the Board of Review.⁵³

The Board of Review is made up of senior staff of the Board with a quorum of three members, headed by a full-time Chairman. No member can sit on any review board considering a case in which he was originally involved.⁵⁴

The Board of Review offers the workman or employer the chance to appear in person and to bring representatives or witnesses. Hearings may be formal or informal, and may be held anywhere in the Province.⁵⁵

If the Board of Review cannot change the decision of the Claims Department, it advises the workman or employer of the reasons, and of the right to request:

- (a) examination under Section 28, or
- (b) review by the Commissioners of the Board.

Under Section 28, the Workmen's Compensation Board provides

to the workman and employer a list of the names of four specialists in the area of medicine related to the accident. From this list of four, the injured workman selects one doctor, as does the employer. At a mutually agreeable time, these two specialists examine the workman and report to the Board. In the event they are unable to agree, the two doctors choose a third doctor from the list provided by the Board. The decision of the majority is final. The decision is based primarily on anatomical evidence.

At the present time, in the event of an examination under Section 28, the Board of Review will discuss with the workman and employer the examiners' findings. If the workman or employer is still dissatisfied, he is advised of his rights to request a review by the Commissioners of the Board.⁵⁶

Appendix F provides a simple layout of the present appeal procedures.

Major concerns expressed in briefs received by the Special Select Committee related to:

- (a) lack of information about the criteria used by the Board in establishing the degree of disability;
- (b) lack of information about the appeal procedure;

- (c) lack of information about the reasons for upward or downward revisions of pensions;
- (d) the limited lists of specialists presented by the Board to employers and employees for Section 28 appeals;
- (e) the delay in adjudicating appeals.

The Committee finds that the Board has done much in the last two years to improve the flow of information. More remains to be done.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT EVERY APPLICANT FOR COMPENSATION SHOULD RECEIVE, AS AN APPENDIX TO THE APPLICATION FOR COMPENSATION, AN OUTLINE OF THE OPERATIONS OF THE BOARD, INCLUDING ALL APPEAL PROCEDURES.

THE SPECIAL SELECT COMMITTEE ALSO RECOMMENDS THAT AT ANY STAGE OF PROCEEDINGS AT WHICH A WORKMAN'S CLAIM IS DISALLOWED OR AMENDED, OR PAYMENTS ARE HALTED OR AMENDED, THE WORKMAN SHOULD RECEIVE A WRITTEN EXPLANATION OF THE DECISION, AND THE REASONS FOR IT, AND ADVICE ON APPEAL.

Aside from problems related to communications, the use of specialists, and the delay in adjudication do pose major problems to which no adequate response has been made.

The Commissioners of the Board are ultimately responsible for deciding upon the claim of a workman or employer. Anatomical evidence is a component of the decision-making process, but it cannot be the sole basis for a decision. Any decision that is made must extend the benefit of the doubt to the workman. Decisions must be made expeditiously.

The preceding are fundamental to the operations of the Board, and, in consideration of these points, the Special Select Committee has developed a new procedure which it recommends for establishing the right to compensation.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT ANY DECISION OF THE CLAIMS DEPARTMENT OF THE BOARD BE SUBJECT TO REVIEW BY A REVIEW COMMITTEE UPON REQUEST FROM EITHER THE EMPLOYER OR EMPLOYEE. THE SPECIAL SELECT COMMITTEE FURTHER RECOMMENDS THAT THE FINDINGS AND DECISION OF THE REVIEW COMMITTEE BE THE SUBJECT OF A HEARING BY A QUORUM OF THE COMMISSIONERS OF THE BOARD, UPON REQUEST FROM EITHER THE EMPLOYER OR EMPLOYEE, AND THAT THERE BE NO APPEAL FROM THE DECISION OF THE BOARD EXCEPT TO THE OMBUDSMAN OF ALBERTA, AS PRESENTLY PROVIDED FOR.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE DECISION OF THE CLAIMS DEPARTMENT RESPECTING PERMANENT DISABILITY SHOULD BE

JOINTLY ARRIVED AT BY TWO PEOPLE - A DOCTOR ON THE STAFF OF THE BOARD, OR UNDER CONTRACT TO THE BOARD, AND A STAFF PERSON OF THE BOARD HAVING ABOUT SIX TO EIGHT YEARS OF EXPERIENCE IN ALL ASPECTS OF THE OPERATIONS OF THE BOARD, AND HAVING EXPERIENCE WITH THE TYPE OF WORK DONE BY THE INJURED WORKMAN.

The aim is that the initial decision should be based on:

- (a) an accident report from the employer, or workman, or both;
- (b) a report from the attending physician, plus any other physicians consulted by the workman or Board;
- (c) a joint assessment made by a doctor and non-medical person, encompassing anatomical, vocational and social implications of the injury (only in the case of permanent disability).

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE REVIEW COMMITTEE BE COMPOSED OF SENIOR STAFF MEMBERS OF THE BOARD, WHOSE RESPONSIBILITIES WOULD BE TO DETERMINE THAT THE DECISION IS BASED ON INFORMATION WHICH IS TECHNICALLY COMPLETE AND COMPREHENSIVE. SUCH A COMMITTEE WOULD MEET WITHOUT THE PRESENCE OF EITHER THE WORKMAN OR EMPLOYER, OR REPRESENTATIVES. IT WOULD BE EMPOWERED TO REQUIRE SUCH ADDITIONAL INFORMATION OR OPINIONS AS IT THOUGHT

NECESSARY TO ENSURE A FAIR DECISION.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT UPON REQUEST FROM EITHER THE EMPLOYER OR EMPLOYEE, ANY FINDINGS OF THE REVIEW COMMITTEE WITH RESPECT TO A CLAIM SHOULD BE HEARD BY A QUORUM OF THE COMMISSIONERS OF THE BOARD, BEFORE WHOM THE WORKMAN AND THE EMPLOYER AND/OR THEIR AGENTS MAY APPEAR FOR THE PURPOSE OF PRESENTING EVIDENCE, INCLUDING NEW EVIDENCE. THE COMMISSIONERS SHOULD ALSO BE EMPOWERED TO OBTAIN ADDITIONAL EVIDENCE OR OPINIONS.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT PANELS OF A QUORUM OF THE COMMISSIONERS OF THE BOARD SHOULD, AS REGULARLY AS REQUIRED, TRAVEL THROUGHOUT THE PROVINCE TO HOLD HEARINGS INTO CLAIMS AGAINST THE FUND OF THE BOARD.

The Board, in its deliberations, would have regard for the principles of compensation, including extending the benefit of the doubt to the workman, the qualification of serious and wilful misconduct, and consideration of evidence including, but not limited to, anatomical evidence.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT HEARINGS OF THE BOARD BE HELD IN PUBLIC, EXCEPT THAT A HEARING OR PART OF A HEARING MAY BE PRIVATELY CONDUCTED BY THE BOARD FOR SOME GOOD REASON. THE

SPECIAL SELECT COMMITTEE ALSO RECOMMENDS THAT THE DECISIONS OF THE BOARD, AND THE REASONS THEREFOR, SHOULD BE FILED WITH THE SECRETARY OF THE BOARD AS PUBLIC INFORMATION.

While it is difficult to calculate comparative statistics accurately, the Committee is of the opinion that the current maximum ceiling on annual wages (seven thousand six hundred dollars) does not encompass as large a proportion of Alberta's labour force as did the maximum legislated in 1918. Yet, the Committee agrees with Sir William Meredith that a large proportion of the labour force should be covered. It also believes that in most cases, the priority consideration must be to ensure the payment of adequate compensation.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE CEILING ON ASSESSABLE WAGES BE RAISED TO NINE THOUSAND DOLLARS (\$9,000.00) PER EMPLOYEE, COMMENCING ON JANUARY 1st, 1974.

The Committee has received representations for and against the computation of pensions on the basis of seventy-five per cent of the current maximum ceiling on payroll.

As Mr. Justice Sloan wrote in 1952, a disabled workman receives his compensation granted him for life "*regardless of subsequent disability or sickness which would have ended his working career in earlier life, regardless of old age with its like result. His*

pension is not subject to the exigencies of strike, lock-out, industrial depression, seasonal unemployment. His compensation continues unabated throughout all these uncertainties and vagaries which beset the industrial worker. He pays no union dues; has no expense for working clothes and equipment. His compensation is free from income tax. He has, in some measure, security." ⁵⁷

It should be remembered that while the maximum pension is based on seventy-five per cent, it is equally and commonly available to every injured workman, not just to the ten to twenty per cent who might have been successful under common law in recovering one hundred per cent of lost wages. In effect, the injured workman who, at common law might have recovered one hundred per cent of his wages, limits his recovery to seventy-five per cent in order to ensure that every other workman, when injured, who might not have otherwise recovered anything, will receive an appropriate and comparable benefit.

The Committee has received numerous submissions on behalf of widows. We believe that the expenses of a widow, with or without children, are approximately the same as for the wife, or husband, of an accident victim one hundred per cent permanently disabled. Decreased expenses in one area are offset by increases in another.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT FUTURE WIDOWS'

PENSIONS EQUAL THE PENSION THE ACCIDENT VICTIM WOULD HAVE RECEIVED IF LIVING, AND ONE HUNDRED PER CENT DISABLED. WE ALSO RECOMMEND THAT ALLOWANCES FOR CHILDREN BE CONSOLIDATED WITHIN THIS PENSION.

The Committee does not accept that the concept of workman's compensation should in any way discriminate between men and women in the payment of benefits.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT PAYMENTS OF DEATH BENEFITS AND PENSIONS SHOULD BE MADE TO THE SURVIVING SPOUSE, WHETHER A WIDOW OR A WIDOWER.

Related to this, *THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT DEPENDENCE BE DEFINED IN TERMS OF ECONOMIC DEPENDENCE OR SUPPORT, WITHOUT ANY REFERENCE TO LEGAL MARRIAGE OR PHYSICAL DISABILITY.*

THE SPECIAL SELECT COMMITTEE ALSO RECOMMENDS THAT THE PHRASE "COMMON LAW WIFE" IN THE ACT OR REGULATIONS BE CHANGED TO "COMMON LAW SPOUSE".

Aside from payment of a widow's pension, the Board makes payments for costs associated with death and burial. These include the costs for the transportation of the body, memorial service costs,

cremation or burial.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) BE PAID BY THE BOARD TO A DEPENDENT WIDOW OR WIDOWER AS A CONTRIBUTION TO THE ADDITIONAL EXPENSE OCCASIONED ON THE DEATH OF A WORKMAN. THE SPECIAL SELECT COMMITTEE ALSO RECOMMENDS THAT THE NECESSARY EXPENSES OF THE FUNERAL OR MEMORIAL SERVICE, AND THE BURIAL OR CREMATION, BE PAID, TO A MAXIMUM OF FOUR HUNDRED FIFTY DOLLARS (\$450.00).

In some cases, permanent partial disability pensions of fifteen per cent or less do not seriously impair a workman's ability to function in employment. On the other hand, they are costly to administer.

Currently, in 1972, there are about five thousand eight hundred permanent partial pensions for disability of fifteen per cent or less. These have a capital value of about \$18.6 million.⁵⁸

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE BOARD MAKE A NEW OFFERING TO PAY OUT, IN LUMP SUM PAYMENTS, ALL PENSIONS BASED ON TEN PER CENT PERMANENT DISABILITY, OR LESS.

The Board should then consider a similar general offering to

those with fifteen per cent permanent disability, or less.

This is suggested in order to ease the cash flow diversion required to make such settlements.

The Special Select Committee recognizes the possibility of a contingent liability wherever pensions are adjusted by cost-of-living increases, or a redefinition of the concept of compensation for either the Board or the Province, and *RECOMMENDS THAT LEGISLATION BE DRAFTED IN SUCH A WAY AS TO SPECIFICALLY EXCLUDE CONTINGENT LIABILITY.*

The Special Select Committee is of the opinion that any workman who is granted a lump sum settlement gains two advantages, as opposed to a known alternative, that is, a small annual increase. The two advantages are: immediate use of the lump sum, and, an investment opportunity to earn more than the value of the periodic increase.

Any workman who is injured in a compensable accident, and is one hundred per cent disabled, may be able to be cared for at home, or may require hospitalization, or nursing home care.

In the case of nursing home care or hospital care, the cost to the Board is from ten dollars per day to about seventy dollars per day.

Yet, for home care, the Board has been paying up to a maximum of seven dollars per day, from a minimum of three dollars per day.

Home care precludes the wife from earning a supplementary income, which she might do otherwise. It necessitates some additional expenses which would not be incurred were the workman in hospital.

On the other hand, the costs of home care do not include administration, or the amortization of capital costs.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE BOARD PAY FOR HOME CARE AT THE RATE OF ONE HUNDRED PERCENT OF THE CURRENT PER DIEM CHARGE FOR NURSING HOME CARE.

The Board also pays a clothing allowance for clothing worn out against an upper or lower limb prosthesis. *THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT AN ALLOWANCE BE PAID BY THE BOARD FOR WEARING CAUSED BY APPLIANCES AS WELL AS PROSTHESIS, AND THAT THE ALLOWANCE BE FIFTY DOLLARS (\$50.00) FOR CLOTHING OF THE UPPER LIMB, AND ONE HUNDRED DOLLARS (\$100.00) FOR CLOTHING OF THE LOWER LIMB.*

The Committee considered very carefully the philosophy of workmen's compensation, that:

- (a) the workman should be compensated for wages lost because of an accident, and
- (b) the program should assist the workman in returning to employment as soon as possible.

On this basis, rehabilitation is a significant factor.

The concept for workmen's compensation suggests that industry pay only for vocational rehabilitation. Yet, it is also recognized that sometimes an accident, in addition to causing physical injury, may have such other effects as to render a man incapable of working. In other words, accident related vocational rehabilitation may include psychological, as well as physical, therapy.

In addition, an accident can frequently have a psychological impact in social areas, not work-related. For example, the loss of a leg impairs, or at least changes, the recreational and social opportunities available to a person, and adjustments must be made.

In dealing with these problems, and encouraging these adjustments, the best point of contact appears to be the Rehabilitation Program of the Workmen's Compensation Board.

The Workmen's Compensation Board has operated an out-patient rehabilitation clinic in south-west Edmonton since 1952.

The clinic facility includes administration and medical facilities, a dining room, and facilities for occupational, recreational and physio-therapy, as well as work assessment.

Currently, the clinic establishment includes seven medical officers, two psychologists, an administrator of treatment services, fifteen physiotherapists, ten occupational therapists, seven remedial gymnasts, four prosthetists, four vocational assessment officers, three rehabilitation officers, seven medical stenographers, a treatment and admitting staff of two, a registered nurse, orderly officer and driver.

The total cost of the rehabilitation operation during 1972 was approximately seven hundred eighty thousand dollars (\$780,000.00), almost 2.5% of current assessment.

This does not seem to accurately reflect the value of rehabili-

tation, although the Special Select Committee is aware that many other government and private agencies are also engaged in rehabilitation.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE WORKMEN'S COMPENSATION BOARD AND GOVERNMENT DEPARTMENTS BE DIRECTED BY THEIR RESPECTIVE MINISTERS TO CO-ORDINATE THEIR PROGRAMS OF TREATMENT AND REHABILITATION IN ORDER TO PROVIDE A BROAD RANGE OF PHYSICAL AND SOCIAL THERAPY PROGRAMS, BEYOND THAT CHARGEABLE STRICTLY TO INDUSTRY.

The submissions of many interested parties expressed advantages that accrue to a rehabilitation program involving residency during treatment.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT CONSIDERATION BE GIVEN TO THE CONSTRUCTION OF RESIDENCE FACILITIES IN EDMONTON.

The Department of Health and Social Development is presently engaged in a study of rehabilitation within auxiliary hospitals.

Some general and auxiliary hospitals are already involved in rehabilitation programs, and these are continually being extended.

Private rehabilitation programs exist.

High schools, Alberta Vocational Centres and the two institutes of technology are also engaged in, and have additional potential for, vocational rehabilitation.

In the light of this, *THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT, AS MUCH AS POSSIBLE, THE BOARD CONTRACT OR CO-OPERATE WITH OTHER AGENCIES AND ORGANIZATIONS FOR THE PROVISION OF TREATMENT AND REHABILITATION SERVICES ON A DECENTRALIZED BASIS.*

The Committee has felt that the employment of disabled people is important to their feeling of self-respect, and their economic stability. The employment of the disabled is also important to the province as a whole, as they are a valuable human resource - a pool of talent and experience that cannot be neglected.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE GOVERNMENT, PERHAPS THROUGH THE DEPARTMENT OF MANPOWER AND LABOUR, UNDERTAKE A COMPREHENSIVE STUDY OF THE OBSTACLES TO THE EMPLOYMENT OF THE DISABLED, INCLUDING WAGE DIFFERENTIALS, THE OPERATION OF GROUP INSURANCE AND PENSION PLANS, AND THE DESIGN OF WORK ENVIRONMENTS.

When the disabled workman returns to the job, there is often

an ongoing need for therapy, or a periodic need for re-examination. The Board has recognized this, and compensates the workman for his out-of-pocket expenses and wages lost. The subsistence rate has, however, fallen behind the transportation and subsistence costs incurred by the workman.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT WORKMEN CALLED BY THE BOARD FOR THERAPY OR EXAMINATION BE PAID THE SAME SUBSISTENCE RATE IN USE BY THE PUBLIC SERVICE OF ALBERTA AT THE TIME THE WORKMAN IS CALLED FOR THERAPY OR EXAMINATION. (For comparison, the current applicable rate is \$17.50 per day).

The Special Select Committee has dealt (at Chapter Five) with the need for recognizing the effect of changes in the cost of living on compensation payments.

Two technical questions complicate the issue. The first is the one of determining the indices which will be used to measure the change in the cost of living. The Consumer Price Index or the Canada Pension Plan Index, or any other that might be used. A new index might be created, recognizing the different consumption patterns of pensioners.

The second question is the one of determining how to capitalize future pensions in such a way that they can react to changes in the cost of living. Particularly, there should be no need to rely on the General Revenue Fund of the Province.

It is also a fact that pension increases contribute to inflation. However, in the view of the Committee, this is not an argument for refusing cost of living benefits. Rather, it is another reason for dealing with inflation in a comprehensive way.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT ALL PRESENTLY

EXISTING, PERMANENT PENSIONS, PARTIAL OR TOTAL, ABOVE OR BELOW FIFTEEN PER CENT BE MAINTAINED AT THEIR PRESENT LEVEL, OR ADJUSTED TO THE CORRESPONDING PROPORTION OF TWO HUNDRED SEVENTY-FIVE DOLLARS (\$275.00) PER MONTH, WHICHEVER IS THE GREATER, USING CONTRIBUTIONS FROM THE GENERAL REVENUE FUND OF THE PROVINCE.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT ALL PRESENTLY EXISTING WIDOWS' PENSIONS BE RAISED TO TWO HUNDRED TWENTY-FIVE DOLLARS (\$225.00) PER MONTH, USING CONTRIBUTIONS FROM THE GENERAL REVENUE FUND OF THE PROVINCE, AND THAT ALL SUCH PENSIONS CONTINUE TO BE SUPPLEMENTED BY PAYMENTS FOR CHILDREN AT THE CURRENT RATE.

This recommendation is transitional. The Board is unable to determine from its present records what income a workman was receiving at the time of death, and is therefore unable to compute an appropriate widows' pension. Since widows in this circumstance cannot be treated as will widows in the future, the Committee is of the opinion that the above recommendation is equitable.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT ALL PERMANENT PENSIONS, PARTIAL OR TOTAL, ABOVE OR BELOW FIFTEEN PER CENT AND ALL WIDOWS' PENSIONS BE REVIEWED ANNUALLY. NECESSARY, PERIODIC ADJUSTMENTS IN PRESENTLY EXISTING PENSIONS SHOULD BE PAID FOR BY THE GENERAL REVENUE FUND OF THE PROVINCE. NECESSARY, PERIODIC ADJUST-

MENTS IN PENSIONS CREATED AFTER JANUARY 1st, 1974 SHOULD BE PAID
FOR BY INDUSTRY, AND INCLUDED IN THE COST OF CAPITALIZING SUCH
PENSIONS.

One of the key elements of any workmen's compensation program is accident prevention, including both preventive and remedial aspects, at the educative and punitive level.

In Alberta, a staff of almost fifty people are engaged in educational and inspection work related to accident prevention. Related to this, the Accident Prevention Department recommends and administers regulations necessary for safety.⁵⁹ For example, the Department issues permits to prepare and fire explosives.

This work is essential for the protection of the worker, the employer and society. It is also work that is being shared and perhaps duplicated by many other departments and agencies, including:

- the Federal Department of Labour;
- the Provincial Department of Manpower and Labour;
- the Energy Resources Conservation Board;
- the Department of Health and Social Development.

The Special Select Committee believes that the educator is at a disadvantage when he is also responsible for the enforcement of regulations.

For this reason, THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE ENACTMENT AND ENFORCEMENT OF SAFETY REGULATIONS BE TRANSFERRED FROM THE BOARD TO THE DEPARTMENT OF MANPOWER AND LABOUR. FOR GREATER BENEFIT, THE SPECIAL SELECT COMMITTEE ALSO RECOMMENDS THAT THE RESPONSIBILITIES OF OTHER GOVERNMENT DEPARTMENTS OR AGENCIES FOR THE ENACTMENT AND ENFORCEMENT OF SAFETY REGULATIONS ALSO BE TRANSFERRED TO THE DEPARTMENT OF MANPOWER AND LABOUR. As a consequence of this, the collection of penalties for the violation of regulations, and the right to issue a stop work order would lie with the Department of Manpower and Labour, and be subject to the protection existing in departmental legislation.

The sole responsibility of the Board will be the important one of preventive and remedial safety education.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT SAFETY ASSOCIATIONS BE ENCOURAGED FOR EVERY INDUSTRY OR CLASS. SUCH ASSOCIATIONS SHOULD BE FUNDED BY THE BOARD BY MEANS OF AN ASSESSMENT ON EVERY BUSINESS. IT IS RECOMMENDED THAT PARTICIPATION IN THE ASSOCIATIONS SHOULD BE VOLUNTARY.

The functions of such associations would include:

- liaison on behalf of the industry with the Board in the

matter of setting the annual assessment;

- establishment and improvement of accident prevention policies within the industry;
- organization and sponsorship of educational programs;
- advice to member industries on penalty and benefit programs.

In order to perform such functions well, the direction of such safety associations should be guided by senior, executive people in the member industries and associated unions. Each safety association should have some full-time staff people, and the right to second staff, on a temporary basis, from the Board.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE BOARD INSTITUTE A SYSTEM OF SEMI-ANNUAL REPORTS TO EMPLOYERS AND THE APPROPRIATE SAFETY ASSOCIATIONS ON THE NUMBER, CAUSE, AND COST OF ACCIDENTS CHARGEABLE TO THAT EMPLOYER.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE BOARD CONTINUE TO LEVY SUPERASSESSMENTS AND GRANT MERIT REBATES, AS IS PRESENTLY BEING DONE.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE BOARD BE EMPOWERED TO ASSESS A PARTICULAR BUSINESS AT UP TO ONE HUNDRED PER CENT ABOVE ITS CONVENTIONAL, ANNUAL ASSESSMENT FOR CLEAR, WILFUL, SERIOUS AND LONG-TERM DISREGARD OF GOOD SAFETY PRACTICES, AS DEMONSTRATED BY THE ACCIDENT RECORD. SUCH A PENALTY ASSESSMENT SHOULD BE LEVIED ONLY AFTER A HEARING BY THE BOARD. THE SPECIAL SELECT COMMITTEE ALSO RECOMMENDS THAT THE BOARD BE EMPOWERED TO DOUBLE THE PRECEDING YEAR'S ASSESSMENT EACH YEAR THAT THE ACCIDENT RECORD CONTINUES TO SHOW CLEAR, WILFUL AND SERIOUS DISREGARD OF GOOD SAFETY PRACTICES, AS COMPARED WITH THE NORM IN THE CLASS.

The implementation of the recommendations contained in this report will result in some significant restructuring of the Act and its administration.

In addition, the growth of the Board in the last decade, and its anticipated growth in the future, appears to require more restructuring.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE CHAIRMAN OF THE BOARD BE DESIGNATED AS THE CHIEF EXECUTIVE OFFICER OF THE BOARD.

THE SPECIAL SELECT COMMITTEE ALSO RECOMMENDS THAT A RESEARCH BRANCH BE ESTABLISHED BY THE BOARD.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE OFFICE OF THE EXECUTIVE DIRECTOR BE THE CHIEF ADMINISTRATIVE OFFICE OF THE BOARD, AND THAT THE OFFICE OF THE EXECUTIVE DIRECTOR BE RELIEVED OF RESPONSIBILITY TO THE BOARD IN CONNECTION WITH ANY OF ITS POLICY FORMULATING OR ADJUDICATIVE FUNCTIONS.

The office of Secretary of the Board and Executive Director should not, in the view of the Committee, be held by the same person.

Because of the recommended restructuring of the Act and its administration, a thorough knowledge of this report will be essential for all staff of the Board.

Liaison is crucial to the successful implementation of recommendations regarding therapy and accident prevention. For this reason, liaison must be regular and frequent, at a high level, and characterized by co-operation and constructiveness. The recognition of this is not for the Board alone, but for all departments and agencies.

In the long term, the success of the workmen's compensation program lies with the people who are the Board and staff. The government, past and present, have recognized this in their selection of Board members. In turn, the Board members have recognized it in their staff selection.

The Special Select Committee commends the people of the Board, and emphasizes the continued importance of such concern.

Policies and practices which attract qualified and imaginative staff, or professional consultants, may cost more, but they are in the long term best interest of the Board, industry and labour. The same is true of policies which enable staff to remain current with developments

in their field. Opportunities for personnel from Alberta to be a part of developments in other jurisdictions should be encouraged, as should professional activity not in conflict with the workmen's compensation program.

The Special Select Committee has considered the origins and development of workmen's compensation. It has considered the conclusions of other studies, and it has studied the legislation of other jurisdictions.

The conclusions of the Special Select Committee can be summarized as follows (a summary of the recommendations is found at the beginning of this report):

- (a) that the Act should be rewritten, transferring to the provincial government the power to make regulations, and making administration under the Board much more flexible;
- (b) that, after adjusting all current pensions and earning levels, a cost of living factor should be built into every pension;
- (c) that the provincial government should bear the cost of applying these new benefits to all existing pensions;
- (d) that industry should bear the cost of applying these new benefits to all new (future) pensions;
- (e) that rehabilitation should be emphasized more than in the past; and,
- (f) that safety programs should be co-ordinated and strengthened.

A simple table (Appendix I) illustrates the proposed changes in the program, and indicated whether industry (through the Board), or the General Revenue Fund of the Province should, in the opinion of the Committee, pay the cost. Where possible, estimated costs for one year are attached. These costs are, for industry, based on the presumption of amortization over ten years.

In addition to the costs to industry resulting from the recommendations contained in this report, it must be remembered that assessments increased an average of eight per cent in 1972 to pay the cost of increasing the maximum earnings ceiling from six thousand six hundred dollars to seven thousand six hundred dollars per annum.

It is clear then that the Committee, which has been primarily concerned about equity and justice, must also consider the practical implications of recommending changes that might necessitate a total increase in assessment of about thirty-three per cent in three years - that is, 1972 - 1974.

Almost all costs charged to the government are the result of having allowed pensions to fall far behind the increases in the cost of living.

Most of the additional costs contemplated for industry are

expected to reduce this rapid outdistancing of pensions by costs.

It is also true that industry has come to expect some rather significant increase in assessment every fourth year, because of the functioning of previous select committees.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT THE COST OF THE RECOMMENDATIONS CONTAINED IN THIS REPORT AND RECOMMENDED TO BE PAID BY INDUSTRY, SHOULD BE AMORTIZED OVER TEN YEARS.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT A NEW WORKMEN'S COMPENSATION ACT BE INTRODUCED FOR PASSAGE BY THE LEGISLATURE, EMBODYING THE RECOMMENDATIONS OF THIS REPORT.

THE SPECIAL SELECT COMMITTEE RECOMMENDS THAT IT CONTINUES TO FUNCTION THROUGHOUT THE REMAINDER OF THIS SESSION OF THE LEGISLATURE, IN ORDER TO EVALUATE RESPONSE TO THIS REPORT.

The Special Select Committee has been concerned to discover weaknesses in the Workmen's Compensation program, and suggest remedies.

During the course of our work, we have felt that both inflation and rehabilitation are major influences which were largely unknown at the time of Sir William Meredith. We have, therefore, recommended

major changes which should be seen, not as digressions from the fundamental concept, but rather, as essential innovations designed to meet changed conditions.

Related to this, we have made recommendations designed to make the Workmen's Compensation program in Alberta adequate in every respect to support the injured workman and his family with the dignity they deserve.

FOOTNOTES

1. . *Canadian Workmen's Compensation: acts, regulations and comparative summary, 1971-72; Don Mills, Commerce Clearing House Canadian Limited, 1971, p.3 (referred to as C.C.H.)*.
2. *Special Select Committees of the Alberta Legislature have been appointed to study the Workmen's Compensation Act in 1972, 1968, 1963, 1959.*
3. *Sparrow, E.E. "Workmen's Compensation", The Encyclopedia Canadiana, Toronto, 1970, vol. 10, pp. 364-365.*
4. *ibid.*
5. *C.C.H., op. cit., p. 3.*
6. *Quoted in a speech delivered by B.J. Legge, Q.C., Chairman of the Workmen's Compensation Board of Ontario, to the International Association of Governmental Labour Officials, at El Paso, Texas, on July 18th, 1972, p. 8.*
7. *Tysoe, Mr. Justice C.W. Commission of Inquiry Workmen's Compensation Act. Victoria: Queen's Printer, 1966, pp. 17-18.*
8. *Revised Statutes of Alberta; Edmonton: Queen's Printer, 1970, Chapter 397, sections 3 and 4 (referred to as R.S.A. 397)*
9. *ibid., section 8.1.*
10. *ibid., section 8.3*
11. *ibid., section 8.2.*
12. *C.C.H. op. cit., p. 7.*
13. *R.S.A. 397, section 101.*
14. *ibid., section 10.3*
15. *ibid., section 10.2 and 32.*
16. *ibid., section 19.*
17. *ibid., section 19.7 (in Alberta, less than one working day)*

18. *ibid.*, section 19.1.
19. *ibid.*, sections 19.2 and 19.6.
20. *ibid.*, sections 31 and 32.
21. *ibid.*, section 47.3.
22. *ibid.*, section 47.1.
23. *ibid.*, section 34.
24. C.C.H. *op. cit.*, p. 2.
25. R.S.A. 397, section 92.
26. C.C.H. *op. cit.*, p. 4.
27. R.S.A. 397, section 70.
28. *ibid.*, section 71.
29. C.C.H. *op. cit.*, p. 5.
30. *ibid.*, p. 3.
31. *ibid.*, p. 25.
32. R.S.A. 397, section 12.
33. This section and the section entitled "Establishing the Right to Compensation" draw very heavily in form and substance on working papers prepared by the senior staff of the Workmen's Compensation Board for the Special Select Committee. (Referred to as Workmen's Compensation Board working papers).
34. The only exception is a grant from the General Revenue Fund of the Province (\$600,000.00 in 1972-73) for pension supplements under section 58.
35. R.S.A. 397, section 71.3.
36. *ibid.*, section 71.4.
37. *ibid.*, section 1.
38. Workmen's Compensation Board working papers.

39. R.S.A. 397, section 70.1.g.
40. ibid., section 66.
41. ibid., section 71.15.
42. ibid., section 71.16.
43. ibid., sections 46 and 47.
44. ibid., section 70.1.h.
45. ibid., section 70.1.f.
46. ibid., section 70.1.d.
47. An announcement made by the Hon. Peter Lougheed, Q.C.,
Premier of the Province of Alberta.
48. Grindley, R.W. Report on Escalation of Benefits for
Workmen's Compensation Board, Alberta. Edmonton:
Wm.M. Mercer, Ltd., 1972, Appendix A.
49. R.S.A. 397, section 25.
50. ibid., section 26.
51. Workmen's Compensation Board working-papers.
52. The Boards of Alberta and all other Canadian jurisdictions
use a common schedule to determine the percentage of loss
of function associated with many common disabilities. Some
less common disabilities are non-scheduled and the percentage
of loss of function must be estimated by the Board.
53. Workmen's Compensation Board working papers.
54. ibid.
55. ibid.
56. ibid.
57. Quoted in Tysoe, op. cit., p. 18.
58. D. J. Duncan, in a letter to the Special Select Committee
(Mr. Armstrong), dated January 5th, 1973, p. 13. (Referred
to as Duncan, January 5).

59. *R.S.A. 397, Section 15.*
60. *Supplied by the Workmen's Compensation Board of Alberta.*
61. *C.C.H. op. cit., pp. 34-39.*
62. *Supplied by the Workmen's Compensation Board of Alberta.*
63. *ibid.*
64. *ibid.*
65. *ibid.*
66. *ibid.*

APPENDICES

TABLE OF CONTENTS

	PAGE
APPENDIX A	<i>The Workmen's Compensation Act of Alberta, Summary of Benefits from 1918 to 1972</i> 78
APPENDIX B	A) <i>A Comparative Table of Disability Benefits (1972), All Canadian Jurisdictions</i> 79
	B) <i>A Comparative Table of Monthly Death Benefits (1972), All Canadian Jurisdictions</i> 80
APPENDIX C	A) <i>Permanent Disability Pensions by Age as at January 31, 1973 (Alberta)</i> 81
	B) <i>Number of Widows' Pensions by Class as at January 31, 1973 (Alberta)</i> 83
	C) <i>Widows by Age, showing Number of Children, as at January 31, 1973 (Alberta)</i> 84
	D) <i>Number of Pensions by Degree of Disability and Year of Occurrence as at January 31, 1973 (Alberta)</i> 85
APPENDIX D	<i>Comparison of Assessment Rates (Alberta) for the Years 1965 to 1972</i> 86
APPENDIX E	A) <i>Assessable Payroll for 1971, by Class (Alberta)</i> 90
	B) <i>Assessable Payroll for 1972, by Class (Alberta)</i> 91
APPENDIX F	A) <i>Present Review (Appeal) Procedure (Alberta)</i> 92
	B) <i>Proposed Review (Appeal) Procedure (Alberta)</i> 93
APPENDIX G	<i>Organization Chart of the Workmen's Compensation Board of Alberta, 1972</i> 94
APPENDIX H	A) <i>Briefs submitted by Organizations, Associations and Municipal Authorities regarding the Workmen's Compensation Act</i> 95
	B) <i>Briefs submitted by Individuals regarding the Workmen's Compensation Act</i> 96
APPENDIX I	<i>Proposed Program Changes, Approximate Additional Annual Cost, and Source of Revenue</i> 97

THE WORKMEN'S COMPENSATION ACT - SUMMARY OF BENEFITS FROM 1918 TO 1972

	Maximum Yearly Earnings	%	Maximum Yearly Comp.	Maximum Monthly Earnings	Maximum Monthly Comp.	Maximum Weekly Earnings	Maximum Weekly Comp.	Maximum Daily Comp. (7-day)	Minimum Weekly Comp.	Minimum Daily Comp.	Widows Pension	Children Pensions	Pre-burial Allowance	Burial Expenses	Burial Plot
1918	-----	--	-----	-----	-----	-----	10.00 to 16.00	1.43 to 2.29	-----	-----	20.00	5.00	-----	75.00	-----
									(1920)		30.00	7.50	-----	100.00 (1919)	
1921	2000.00	55	1100.00	166.67	91.66		21.07	3.01	10.00	1.43	35.00	10.00	-----	100.00	-----
1924	"	62½	1250.00 1140.00	"	104.17 (PPD or TPD)* 95.00 (TTD comp.)*		21.84	3.12	"	"	"	"	-----	"	-----
1928	"	62½	1333.00	"	111.11	38.36	25.54	3.65	"	"	"	"	-----	125.00	-----
1932	"	"	"	"	"	"	"	"	"	"	"	"	-----	"	-----
1936	"	"	"	"	"	"	"	"	"	"	"	"	-----	"	-----
1938	"	"	"	"	"	"	"	"	"	"	"	"	-----	"	-----
1943	"	"	"	"	"	"	"	"	12.50	1.79	40.00	12.00	100.00	"	-----
1948	2500.00	"	1667.00	208.33	138.52	47.95	31.99	4.57	15.00	2.14	50.00	15.00	100.00	175.00	-----
1952	3000.00	75	2250.00	250.00	187.50	57.53	43.12	6.16	25.00	3.57	"	25.00	100.00	200.00	-----
1956	4000.00	"	3000.00	333.33	250.00	76.72	57.54	8.22	"	"	60.00	30.00	150.00	200.00	-----
1961	5000.00	"	3750.00	416.67	312.50	95.89	71.89	10.27	35.00	5.00	75.00	40.00	200.00	250.00	50.00
1965	5600.00	"	4200.00	466.67	350.00	107.40	80.57	11.51	"	"	85.00	45.00	200.00	250.00	50.00
1969	6600.00	"	4950.00	550.00	412.50	126.58	94.92	13.56	40.00	5.71	110.00	50.00 55.00	300.00	350.00	100.00
1972	7600.00	"	5700.00	633.33	475.00	145.75	108.31	15.62	50.00	7.14	"	"	"	"	"

* Permanent Partial Disability or Temporary Partial Disability

** Temporary Total Disability compensation

APPENDIX A ⁶⁰

THE WORKMEN'S COMPENSATION ACT OF ALBERTA

SUMMARY OF BENEFITS FROM 1918 TO 1972

TABLE OF DISABILITY BENEFITS

	PERMANENT		TEMPORARY		Maximum Earnings Reckoned
	Total	Partial	Total	Partial	
Alta.	75% of earnings. Minimum \$175 per month, or earnings, if less. ³	Proportion of 75% of earnings based on impaired earning capacity with minimum payment a proportionate amount of \$175 monthly where disability assessed at more than 15%. ^{1,3}	75% of earnings for duration of disability. Minimum \$40 per week or earnings, if less. ³	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury for duration of disability. ³	\$6,600 per annum
B.C.	75% of earnings. Minimum \$165.61 per month.	75% of estimated loss of average earnings based on impaired earning capacity or if more equitable, 75% of difference in earnings before and after accident. ^{1,2}	75% of earnings for duration of disability. Minimum \$35.85 per week or earnings, if less.	75% of difference in average earnings before and after accident for duration of disability. ^{1,2}	\$7,600 per annum with provision for annual review
Man.	75% of earnings. Minimum \$150 per month or earnings, if less.	Periodical payments to compensate for physical loss. Minimum payment, percentage of \$150 per month proportionately equal to disability.	75% of earnings for duration of disability. Minimum \$35 per week or earnings, if less.	Periodical payments to compensate for physical loss. Minimum payment, percentage of \$150 per month proportionately equal to disability so long as the disability lasts.	\$8,000 per annum.
N.B.	Average earnings but not in excess of 75% of maximum annual earnings reckoned.	Amount determined by Board based on impaired earning capacity, but not to exceed 75% of maximum annual earnings.	75% of average earnings for duration of disability. Minimum \$30 per week or earnings, if less.	If earning capacity diminished by more than 10%, 75% of diminution of earning capacity for duration of disability.	\$6,000 per annum, \$7,000 per annum commencing January 1, 1972.
Nfld.	75% of average earnings. Minimum \$130 per month or earnings, if less.	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury or, if more equitable, 75% of difference in earnings before and after accident. ^{1,2}	75% of earnings for duration of disability. Minimum \$30 per week or earnings, if less.	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury or, if more equitable, 75% of difference in earnings before and after accident for duration of disability. ^{1,2}	\$7,000 per annum
N.S.	75% of average earnings. Minimum \$150 per month or, if the workman has more than one dependent child under 16, the amount which a widow with the same number of children would receive.	75% of difference in earnings before and after accident or compensation may be based on impaired earning capacity estimated from the nature of the injury. If disability 15% or more, average earnings must be taken as not less than \$200 per month. ¹	75% of average earnings for duration of disability. Minimum \$35 per week or earnings, if less.	75% of difference in average earnings before and after accident for duration of disability. ^{1,2}	\$7,000 per annum
Ont.	75% of average earnings, amount proportionate to impairment of earning capacity. Minimum \$175 per month.	Proportion of 75% of earnings based on impaired earning capacity or, if more equitable, 75% of difference in average earnings before and after accident for duration of disability. ^{1,2}	75% of earnings for duration of disability. Minimum \$40 per week or earnings, if less.	75% of difference in earnings before and after accident for duration of disability. ^{1,2}	\$9,000 per annum
P.E.I.	75% of average earnings. Minimum \$25 per week or earnings, if less; \$14 per week where earnings less at Board discretion.	75% of difference in earnings before and after accident. ^{1,2}	75% of earnings for duration of disability. Minimum \$25 per week or earnings if less; \$15 per week where earnings less at Board discretion.	75% of difference in earnings before and after accident. ^{1,2}	\$6,000 per annum
Que.	75% of earnings. Minimum \$35 per week or earnings, if less.	Proportion of 75% of average earnings based on degree of disability. ^{1,2}	75% of earnings for duration of disability. Minimum \$35 per week or earnings, if less.	Proportion of 75% of average earnings based on degree of disability for duration of disability. ²	\$6,000 per annum
Sask.	75% of average earnings. Minimum \$40 per week.	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or if more equitable, 75% of difference in earnings before and after accident. ^{4,2}	75% of earnings for duration of disability. Minimum \$40 per week or earnings, if less.	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury for duration of disability. ²	\$126.92 4/13 per week (\$6,600 per year)
N.W.T.	75% of average weekly earnings. Minimum \$40 per week or earnings, if less. ^{4,3}	Proportion of 75% of earnings based on impairment of earning capacity. ³	75% of average weekly earnings for duration of disability. ³	Proportion of 75% of average earnings based on impaired earning capacity for duration of disability. ³	Up to \$6,600 per annum, dependent on date of accident.
Yukon	75% of average earnings. Minimum \$40 per week or earnings, if less. ³	Proportion of 75% of earnings based on impairment of earning capacity. ³	75% of earnings for duration of disability. ³	Proportion of 75% of earnings based on impairment of earning capacity for duration of disability. ³	Up to \$6,600 per annum.

¹ If requested, lump-sum payment may be made in Yukon with Commissioner's approval. If earning capacity is diminished 10% or less (5% or less in Alberta and Northwest Territories), a lump-sum may be given. In Alberta, British Columbia, Manitoba, Ontario and Saskatchewan, provision is made for payment of a lump-sum or periodic instalments for serious disfigurement.

² The minimum payable in case of partial disability is the same proportion of the minimum for total disability (see preceding column) as impairment is of full earning capacity.

³ 100% of average weekly earnings if injured doing rescue work.

⁴ If earning capacity is diminished 10% or less (5% or less in Alberta and Northwest Territories), a lump-sum may be given. In Alberta, British Columbia, Ontario and Saskatchewan provision is made for payment of a lump-sum, or periodic payments in Manitoba, for serious disfigurement.

	Funeral	Widow or Invalid Widower	CHILDREN		Where only dependents are other than consort and child	Maximum
			With Parent	Orphans		
Alta.	\$350 ¹	\$110 plus sum of \$300; additional amount at Board discretion if ill.	Under 16, \$50; over 16 and attending school \$55; invalid child any age \$55 each; additional amount at Board discretion if ill. ²	Benefits as under Col. 3 plus additional amount not exceeding \$50 to child under 21 or invalid child at Board discretion. ²	Maximum to parent(s) \$50. Maximum in all, \$85.	
B.C.	\$265 with additional \$85 for burial or cremation charges. ¹	\$140.19 plus sum of \$250. ⁴	Under 16, \$48.77 each; 16-18 years, if attending school, \$54.86; 18-21 years, if attending school, \$60.96, invalid child of any age, \$48.77. ^{2,4}	Under 16, \$54.86 each; 16-21 years, if attending school, \$67.05, invalid child of any age, \$54.86. ^{2,4}	Maximum \$115 to parent(s) Maximum in all, \$115. ³	
Man.	\$300. ¹	\$120 plus sum of \$500.	Under 10, \$45 each; 10-16 years and invalid child over 16, \$50 each; over 16 while continuing education, \$60 at Board's discretion. ²	Under 10, \$55 each; 10-16 years and invalid child over 16, \$60 each; over 16 while continuing education, \$70 at Board's discretion.	Maximum to wholly dependent mother, \$120. Other dependents maximum \$30 each. Maximum in all, \$60. ³	75% of average workman's earnings. Minimum to consort with one child, \$120 plus child's entitlement; with two or more children, \$120 plus entitlement for two older children. ⁵
N.B.	\$500. ¹	\$100 plus sum of \$200.	Under 21, if attending school, \$25 each; invalid child of any age \$25. ²	Under 21, if attending school, \$50 each. ²	Sum reasonable and proportionate to pecuniary loss. ³	75% of \$6,000 per annum.
Nfld.	\$300. ¹	\$120 plus sum of \$200.	Under 16, \$40 each. ²	Under 16, \$50 each. ²	Sum reasonable and proportionate to pecuniary loss. ³	
N.S.	\$400. ¹	\$115 plus sum of \$250.	Under 18, and invalid child of any age, \$38 each. ²	Under 18, \$45 each. ²	Maximum \$60 each, Maximum in all, \$75. ³	
Ont.	\$400. ¹	\$175 plus sum of \$500.	Under 16, \$60 each. ²	Under 16, \$70 each. ²	Maximum \$150. ³	Average monthly earnings. Minimum \$175 to consort; \$60 to each child; maximum \$355. \$70 to each orphan child, not exceeding \$355. ^{3,5}
P.E.I.	\$400. ¹	\$100 plus sum of \$400.	Under 16 and invalid child of any age, \$25 each. ²	Under 16, \$35 each. ²	Maximum to parent(s) \$40. Maximum in all, \$60. ³	75% of workman's average earnings, but Board may waive restriction and pay \$100 to consort and \$25 for each child under 16. ⁵
Que.	\$600. ¹	\$100 plus sum of \$500.	Under 18, \$35; no age limit if attending school or if invalid. ²	Under 18, \$55; no age limit if attending school or if invalid. ²	Sum reasonable and proportionate to pecuniary loss. ³	75% of workman's average earnings. ⁵ Minimum \$135 to consort and one child; \$175 to consort and two children; \$205 to consort and more than two children.
Sask.	\$300. ¹	\$127.50 plus sum of \$300.	Under 16, \$50. ²	Under 16, \$65 each plus a sum not exceeding \$50 at the discretion of the Board. ²	Sum reasonable and proportionate to pecuniary loss. ³	Average monthly earnings of workman. Minimum \$115 to widow, \$165 to widow and one child; \$215 to widow and two children and \$30 for each additional child. ⁵
N.W.T.	\$300. ¹	Up to \$110 plus sum of \$300 dependent on date of accident; an additional \$15 in case of illness.	Dependent on date of accident up to \$55 under 16 and for invalid child of any age, plus additional \$15 in event of illness at discretion of referee. ²	Benefits as under Col. 3 plus additional \$100 at discretion of referee.	Up to \$75 for parent, maximum \$100 for both parents, dependent on date of accident.	
Yukon	\$300. ¹	Up to \$100 plus sum of \$300 dependent on date of accident; an additional \$15 in case of illness.	Under 18 and invalid child of any age, up to \$45 each dependent on date of accident; additional \$15 in event of illness at discretion of referee. ²	Benefits as under Col. 3 plus additional \$10 at discretion of referee.	Up to \$75 for parent, maximum \$100 for both parents, dependent on date of accident. ³	

¹For transporting body for burial, a maximum of \$150 in Quebec, of \$125 in Newfoundland and New Brunswick and of \$100 in Alberta, British Columbia, Nova Scotia, Prince Edward Island, Yukon and Northwest Territories may be paid. No maximum is specified in Ontario and Saskatchewan. In Manitoba, the Board may pay transportation expenses within the province and part of expenses if the body is moved into or from the province. In Alberta, British Columbia, Northwest Territories and Yukon, only transportation expenses within the province or territory are allowed. In Manitoba and Saskatchewan, compensation may include payment for a burial plot, not exceeding \$50, in Alberta, not exceeding \$100.

²Payments to children may be made, if desirable to continue education, up to age of 18 in Northwest Territories and Yukon, to 21 years in Alberta, New Brunswick, Newfoundland, Prince Edward Island and Saskatchewan; until the child is granted a university degree or completes a course in technical training in Manitoba; in Ontario and Quebec as long as child is pursuing his studies. In Alberta, Newfoundland, Prince Edward Island, Northwest Territories and Yukon, payments to invalid children are continued so long as the Board considers workman would have contributed to support. In all other provinces, payment is continued until recovery.

³Compensation in these cases is continued so long as Board considers workman would have contributed to support.

⁴In accordance with formula introduced in 1965, payments are increased 2% for each rise of 2% in the Consumer Price Index.

⁵For maximum annual earnings on which compensation may be based, see Table 2, Column 6.

A) A COMPARATIVE TABLE OF DISABILITY BENEFITS (1972)

ALL CANADIAN JURISDICTIONS

B) A COMPARATIVE TABLE OF MONTHLY DEATH BENEFITS (1972)

ALL CANADIAN JURISDICTIONS

THE WORKMEN'S COMPENSATION BOARD

NUMBER OF PERMANENT DISABILITY PENSIONS BY AGE

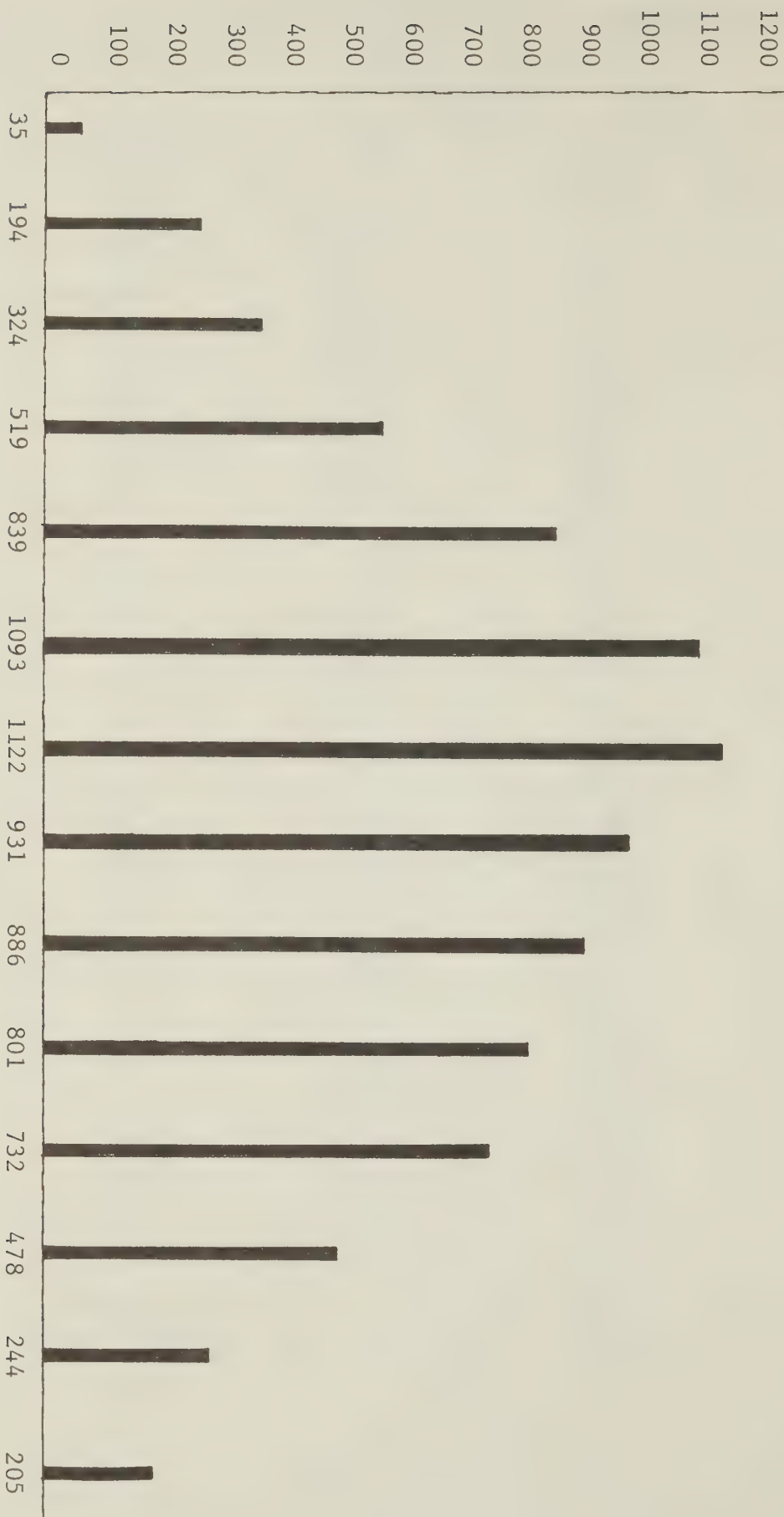
AS AT JANUARY 31, 1973

<u>AGE</u>	<u>NUMBER</u>	<u>AGE</u>	<u>NUMBER</u>
14	1	59	195
17	5	60	176
18	4	61	182
19	4	62	190
20	21	63	139
21	21	64	141
22	30	65	149
23	27	66	152
24	48	67	147
25	68	68	126
26	49	69	150
27	58	70	157
28	68	71	118
29	75	72	102
30	74	73	98
31	78	74	90
32	96	75	70
33	122	76	57
34	106	77	53
35	117	78	50
36	140	79	45
37	159	80	39
38	172	81	40
39	167	82	38
40	201	83	18
41	197	84	18
42	237	85	19
43	218	86	13
44	220	87	16
45	221	88	11
46	213	89	4
47	225	90	6
48	239	91	6
49	238	92	1
50	207	93	2
51	212	94	6
52	216	95	2
53	173	96	2
54	173	97	2
55	157	98	1
56	176		
57	158		
58	181		
			8403

AGES

20 & under	21 to 25	26 to 30	31 to 35	36 to 40	41 to 45	46 to 50	51 to 55	56 to 60	61 to 65	66 to 70	71 to 75	76 to 80	over 80
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NUMBER OF PENSIONS



TOTAL - 8403

THE WORKMEN'S COMPENSATION BOARD

NUMBER OF WIDOWS' PENSIONS BY CLASS

AS AT JANUARY 31, 1973

<u>CLASS</u>	<u>WIDOWS</u>
1-00	185
3-01	4
3-02	3
5-00	6
6-01	10
6-02	4
6-03	5
6-04	1
6-05	2
6-06	4
6-07	27
6-08	1
6-09	2
8-03	6
8-04	8
9-01	19
10-01	2
10-02	7
11-01	1
11-02	1
11-04	1
12-01	2
12-02	1
13-02	49
13-04	2
14-01	1
15-01	14
15-08	12
15-09	7
15-10	53
15-11	21
15-12	6
20-01	25
20-02	17
20-04	3
27-01	9
27-03	3
37-01	33
38-00	10
39-01	133
39-03	3
39-04	65
39-06	10
39-08	9
39-37	8
39-98	11
46-00	-
89-01	9
89-02	10
89-03	52
97-02	5
	<hr/>
	882
Self Insurers	168
	<hr/>
	1,050
	<hr/> <hr/>

THE WORKMEN'S COMPENSATION BOARD
WIDOWS BY AGE, SHOWING NUMBER OF CHILDREN
AS AT JANUARY 31, 1973

WIDOWS WITH:

AGE	NO CHILDREN	1 CHILD	2 CHILDREN	3 CHILDREN	4 CHILDREN	5 CHILDREN	6 OR MORE CHILDREN	TOTAL WIDOW
20	1	2	1	-	-	-	-	4
21	-	-	-	1	-	-	-	1
22	1	1	-	-	-	-	-	2
23	-	1	3	-	-	-	-	4
24	1	2	2	1	-	-	-	6
25	1	2	2	-	1	-	-	6
26	2	-	3	-	-	-	-	5
27	1	1	2	2	-	-	-	6
28	1	1	4	4	1	-	-	11
29	1	1	2	5	-	1	-	10
30	1	3	4	2	4	1	1	16
31	-	1	3	1	-	-	-	5
32	-	-	5	2	1	-	-	8
33	-	1	2	2	-	-	-	5
34	3	1	1	2	3	1	1	12
35	1	-	3	4	-	1	-	9
36	-	1	1	3	2	1	2	10
37	1	1	4	5	1	2	1	15
38	1	2	2	3	2	1	1	12
39	2	2	3	2	1	1	1	12
40	1	4	6	5	2	-	1	19
41	2	2	6	3	-	1	-	14
42	8	6	-	6	1	1	-	22
43	-	1	4	2	3	-	-	10
44	4	7	4	4	2	-	-	21
45	9	4	4	3	1	1	-	22
46	5	7	1	1	2	-	-	16
47	10	4	3	4	1	-	-	22
48	9	7	2	1	1	-	-	20
49	8	5	4	-	-	-	-	17
50	8	6	3	1	-	1	-	19
51	17	7	1	1	1	-	-	27
52	21	6	2	2	-	-	-	31
53	13	2	3	1	-	-	-	19
54	11	6	1	1	-	-	-	19
55	11	4	1	-	-	-	-	16
56	20	2	-	-	-	-	-	22
57	26	7	-	-	-	-	-	33
58	21	3	-	-	-	-	-	24
59	19	2	-	-	-	-	-	21
60	19	1	-	-	-	-	-	20
61	18	-	-	-	-	-	-	18
62	20	1	-	-	-	-	-	21
63	26	-	-	-	-	-	-	26
64	25	-	-	-	-	-	-	25
65 & Over	367	-	-	-	-	-	-	367
	716	117	92	74	30	13	(A) 8	1,050
Remarried Widows	-	111	87	47	20	6	2	273

NOTE: (A) There are 4 widows, ages 30, 36, 39 and 40, with 6 children; 1 widow, age 38, with 7 children; 1 widow, age 34 with 8 children; 1 widow, age 36, with 9 children; and 1 widow, age 37, with 10 children.

THE WORKMEN'S COMPENSATION BOARD
NUMBER OF PERMANENT DISABILITY AND WIDOWS' PENSIONS
BY DEGREE OF DISABILITY AND YEAR OF OCCURRENCE
AS AT JANUARY 31, 1973

YEAR OF OCCURRENCE	0.1- 4.9	5.0- 9.9	10.0- 14.9	15.0- 19.9	20.0- 24.9	25.0- 29.9	30.0- 34.9	35.0- 39.9	40.0- 44.9	45.0- 49.9	50.0- 54.9	55.0- 59.9	60.0- 64.9	65.0- 69.9	70.0- 74.9	75.0- 79.9	80.0- 84.9	85.0- 89.9	90.0- 94.9	95.0- 99.9	100.0	TOTAL	WIDOWS
1920	-	-	-	-	1	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	2	4
1921	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1
1922	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5
1923	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	1	-	-	-	-	-	5	2
1924	-	-	-	-	1	2	1	1	1	-	-	-	-	-	-	-	-	-	-	1	-	3	3
1925	-	-	-	2	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	8	5
1926	-	-	1	2	-	1	1	-	-	-	-	1	-	-	-	-	-	-	-	-	-	6	3
1927	-	-	-	-	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	-	1	6	5
1928	-	-	1	2	2	2	1	-	1	2	-	-	-	-	-	-	-	-	-	-	-	10	8
1929	-	1	4	7	4	3	-	2	1	-	2	-	-	-	-	-	-	-	-	-	2	26	6
1930	-	2	4	4	3	1	1	-	1	-	1	2	-	-	-	-	-	-	-	-	-	19	7
1931	-	3	2	2	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	10	3
1932	-	-	2	4	-	2	-	-	2	-	3	-	-	-	-	-	-	-	-	-	2	15	5
1933	-	1	1	3	3	1	1	-	-	-	-	-	1	-	-	-	1	-	-	-	1	13	3
1934	-	-	-	-	1	1	1	2	1	-	-	-	-	-	-	-	-	-	-	-	-	6	8
1935	-	3	3	-	-	-	1	2	2	-	-	1	-	-	1	-	-	-	-	-	-	13	15
1936	-	3	1	1	-	1	-	-	3	-	-	1	-	-	-	-	-	-	-	-	1	11	7
1937	2	3	-	8	3	-	2	1	2	-	1	4	-	-	-	-	-	-	-	-	1	27	9
1938	-	3	3	7	3	4	-	1	1	-	1	1	-	-	-	-	-	-	-	-	-	26	9
1939	-	2	6	6	1	-	2	-	2	1	1	1	-	1	-	-	-	1	-	-	-	23	13
1940	-	4	2	4	2	4	3	-	2	2	-	-	-	-	-	1	-	-	-	-	2	26	7
1941	4	6	5	4	4	7	2	-	4	1	3	1	-	3	-	1	-	-	-	-	1	46	13
1942	3	8	6	12	3	7	1	4	4	-	1	1	-	-	-	2	-	-	-	-	4	56	7
1943	2	9	10	11	4	6	2	-	4	1	1	1	-	1	-	1	-	-	-	-	4	57	15
1944	5	8	7	21	6	10	2	1	1	-	2	-	1	1	2	-	1	-	-	-	1	69	14
1945	5	9	8	11	4	8	4	1	3	-	7	-	1	-	2	-	-	-	1	-	3	67	28
1946	-	9	20	32	10	12	4	3	6	3	5	-	1	2	-	-	1	-	-	-	3	111	14
1947	3	9	18	35	15	11	6	4	6	4	3	1	2	-	-	1	-	-	-	-	5	123	22
1948	5	16	33	42	16	14	7	4	5	1	5	-	3	1	-	1	-	-	-	-	4	157	24
1949	7	44	40	46	17	13	7	4	5	7	1	1	1	2	-	-	-	1	-	-	3	199	21
1950	8	37	35	33	26	12	5	1	2	6	5	1	1	-	1	-	1	-	-	-	5	179	38
1951	4	38	55	56	17	17	6	3	7	5	3	1	2	2	1	1	-	1	-	-	4	222	15
1952	7	54	64	39	18	11	10	3	6	-	4	-	1	-	2	-	-	-	-	-	6	226	16
1953	14	52	67	43	15	8	8	4	1	1	3	1	2	2	1	1	-	-	-	-	3	226	22
1954	18	81	68	40	8	9	6	1	1	3	4	2	3	3	-	1	-	-	-	-	5	253	21
1955	23	76	62	69	12	15	5	4	10	2	1	-	2	2	5	1	1	1	-	-	10	301	23
1956	16	84	68	51	17	17	8	3	6	9	5	1	2	3	1	1	-	-	-	-	7	299	33
1957	12	66	73	59	18	8	7	3	5	3	2	1	1	3	-	5	2	-	-	1	6	275	28
1958	16	75	77	41	12	11	9	3	2	1	2	-	1	2	-	-	1	1	-	-	8	263	29
1959	26	74	68	47	19	11	5	5	5	1	3	-	2	4	2	3	1	-	-	-	5	281	33
1960	22	61	75	42	13	14	7	2	3	-	3	-	2	1	1	-	1	-	-	-	10	257	34
1961	24	77	89	52	11	13	6	5	3	-	9	-	2	3	1	1	-	-	1	-	4	302	30
1962	27	93	124	61	12	17	5	5	7	1	3	-	-	-	-	2	1	-	-	-	6	364	31
1963	37	93	126	61	20	11	4	4	10	1	8	-	-	-	-	-	2	-	-	-	7	384	28
1964	24	97	146	69	24	9	7	4	5	-	9	-	1	1	1	-	-	-	-	-	10	407	45
1965	28	120	138	64	20	17	9	6	2	1	16	2	5	2	-	1	-	-	1	-	7	439	37
1966	23	186	141	74	23	17	8	4	3	1	9	-	2	-	-	2	-	-	-	-	14	507	37
1967	31	176	147	58	19	13	5	9	3	2	11	-	1	-	1	1	1	-	-	-	5	483	42
1968	25	205	141	54	22	14	4	4	3	3	7	3	3	2	3	-	1	-	-	-	9	503	36
1969	21	172	154	55	14	12	7	4	3	-	6	1	1	1	2	1	-	-	-	-	15	469	44
1970	17	100	145	52	9	7	4	3	4	-	4	1	1	1	-	1	-	-	-	-	12	361	45
1971	11	52	88	28	9	8	4	2	2	-	5	-	-	-	-	-	-	-	-	-	4	213	53
1972	2	14	16	6	1	2	-	2	2	-	2	-	-	-	-	-	-	-	-	-	1	48	44
	472	2,227	2,344	1,422	464	384	190	116	153	64	163	30	45	43	27	30	15	5	3	4	202	8,403	1,050

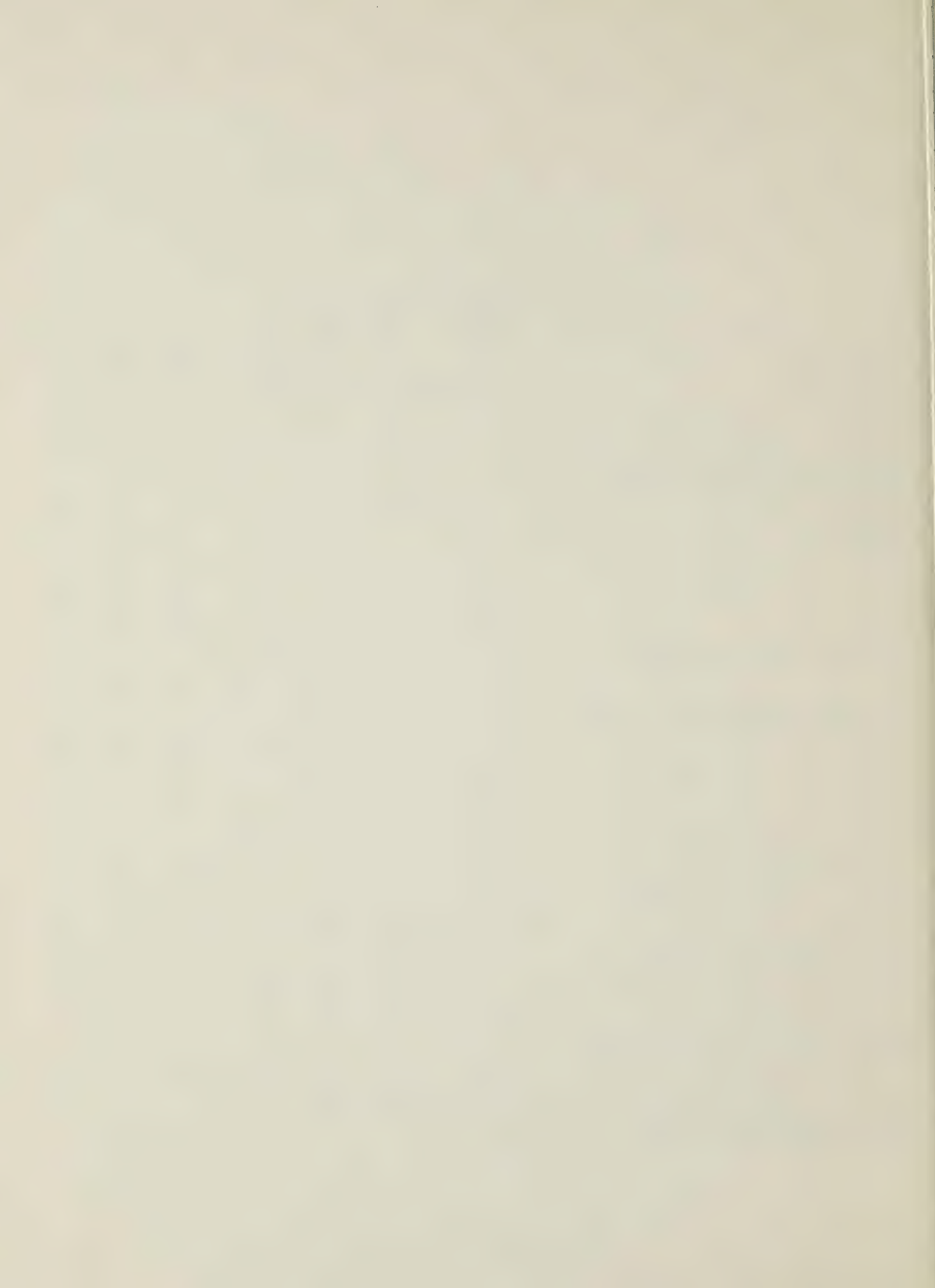
<u>55.0- 59.9</u>	<u>60.0- 64.9</u>	<u>65.0- 69.9</u>	<u>70.0- 74.9</u>	<u>75.0- 79.9</u>	<u>80.0- 84.9</u>	<u>85.0- 89.9</u>	<u>90.0- 94.9</u>	<u>95.0- 99.9</u>	<u>100.0</u>	<u>TOTAL</u>	<u>WIDOWS</u>
-	-	-	-	-	-	-	-	-	-	2	4
-	-	-	-	-	-	-	-	-	-	1	1
-	-	-	-	-	-	-	-	-	-	-	5
-	-	-	-	1	-	-	-	-	-	5	2
-	-	-	-	-	-	-	-	1	-	3	3
-	-	-	-	-	-	-	-	-	-	8	5
1	-	-	-	-	-	-	-	-	-	6	3
-	-	-	-	-	-	-	-	-	1	6	5
-	-	-	-	-	-	-	-	-	-	10	8
-	-	-	-	-	-	-	-	-	2	26	6
2	-	-	-	-	-	-	-	-	-	19	7
-	-	-	-	-	-	-	-	-	-	10	3
-	-	-	-	-	-	-	-	-	2	15	5
-	1	-	-	-	1	-	-	-	1	13	3
-	-	-	-	-	-	-	-	-	-	6	8
1	-	-	1	-	-	-	-	-	-	13	15
1	-	-	-	-	-	-	-	-	1	11	7
4	-	-	-	-	-	-	-	-	1	27	9
1	-	-	-	-	-	1	-	-	1	26	9
1	-	1	-	-	-	-	-	-	-	23	13
-	-	-	-	1	-	-	-	-	2	26	7
1	-	3	-	1	-	-	-	-	1	46	13
1	-	-	-	2	-	-	-	-	4	56	7
1	-	1	-	1	-	-	-	-	4	57	15
-	1	1	2	-	1	-	-	-	1	69	14
-	1	-	2	-	-	-	1	-	3	67	28
-	1	2	-	-	1	-	-	-	3	111	14
1	2	-	-	1	-	-	-	-	5	123	22
-	3	1	-	1	-	-	-	-	4	157	24
1	1	2	-	-	-	1	-	-	3	199	21
1	1	-	1	-	1	-	-	-	5	179	38
1	1	2	1	1	-	1	-	-	4	222	15
-	2	-	2	-	-	-	-	-	6	226	16
1	2	2	1	1	-	-	-	-	3	226	22
2	3	3	-	1	-	-	-	-	5	253	21
-	2	2	5	1	1	1	-	-	10	301	23
1	2	3	1	1	-	-	-	-	7	299	33
1	1	3	-	5	2	-	-	1	6	275	28
-	1	2	-	-	1	1	-	1	8	263	29
-	2	4	2	3	1	-	-	-	5	281	33
-	2	1	1	-	1	-	-	-	10	257	34
-	2	3	1	1	-	-	1	1	4	302	30
-	-	-	-	2	1	-	-	-	6	364	31
-	-	-	-	-	2	-	-	-	7	384	28
-	1	1	1	-	-	-	-	-	10	407	45
2	5	2	-	1	-	-	1	-	7	439	37
-	2	-	-	2	-	-	-	-	14	507	37
-	1	-	1	1	1	-	-	-	5	483	42
3	3	2	3	-	1	-	-	-	9	503	36
1	1	1	2	1	-	-	-	-	15	469	44
1	1	1	-	1	-	-	-	-	12	361	45
-	-	-	-	-	-	-	-	-	4	213	53
-	-	-	-	-	-	-	-	-	1	48	44
30	45	43	27	30	15	5	3	4	202	8,403	1,050

- A) PERMANENT DISABILITY PENSIONS BY AGE AS AT
JANUARY 31, 1973 (ALBERTA)
- B) NUMBER OF WIDOWS' PENSIONS BY CLASS AS AT
JANUARY 31, 1973 (ALBERTA)
- C) WIDOWS BY AGE, SHOWING NUMBER OF CHILDREN, AS AT
JANUARY 31, 1973 (ALBERTA)
- D) NUMBER OF PENSIONS BY DEGREE OF DISABILITY AND
YEAR OF OCCURRENCE AS AT JANUARY 31, 1973 (ALBERTA)

ASSESSMENT RATES

COMPARISON OF RATES OF ASSESSMENT FOR THE YEARS 1965 TO 1972

<u>Class</u>	<u>Industry</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>
	Underground Mining	\$ 9.00	\$ 11.00	\$ 11.00	\$ 11.00	\$ 11.00	\$ 10.00	\$ 9.00	\$ 9.00
01	Logging Operations	reclassified from Class 13-02, see Note A					7.50	7.50	8.00
02	Manufacture of Lumber	see Note A					5.50	5.50	5.00
	Strip Coal Mining; Operation of Briquetting Plants	.25	.25	.25	.25	.25	.25	.50	.80
01	Construction of Buildings, Erection of Prefabricated Steel Buildings. Placing of Reinforcing Steel. Oilfield Construction and Maintenance N.E.S. Concrete Construction. Piling and Caisson Operations etc.	reclassified from Class 39-01, see Note B					3.00	3.00	2.75
02	Heating, Air Conditioning, Floor Laying & Finishing, Pre Mixing Concrete, Sandblasting, Steam Cleaning Plumbing, etc.	see Note B					1.90	1.90	1.80
03	Painting, Plastering, Tilesetting, Window Cleaning, etc.	see Note B					2.75	2.75	2.50
04	Masonry and Bricklaying, Concrete Block Laying	see Note B					4.50	4.25	3.90
05	Roofing	see Note B					6.00	6.00	7.00
06	Electric Wiring, Installation of Automatic Telephone and Telex Equipment and Sprinkler Systems, etc.	see Note B					1.25	1.25	1.50
07	Construction - Highway, Railway, Bridge, Pipeline, Sewer, Excavating, Brush Cutting, Operation of Sand and Gravel Pits and Crushing, etc.	see Note B					4.50	4.50	3.50
08	Erection of; Structural Steel, Grain Elevators, Storage Tanks, Moving or Demolition of Buildings, etc.	see Note B					6.00	6.00	6.50
09	Construction or Removal of Power Lines, Telegraph and Telephone Lines	see Note B					7.50	7.50	7.00
13	Manufacture and/or Repair of Metal Doors, Windows, Awnings, Agricultural Implements, Brick and Tile Brick, Roofing Products, Plaster Board, etc.	see Note C					1.45	1.45	1.60
14	Operation of Sash and Door Factories; Manufacture and/or Repair of Trailers, Wooden Boxes, Plywood and Outdoor Displays, Advertising, etc.	see Note C					2.35	2.50	2.25
1	Operation of Flour Mills, Seed Cleaning Plants, Feed Chopping Mills, Creameries, Hatcheries, Manufacture of Food Products, Beverages, etc.	see Note C					1.30	1.40	1.50
1	Manufacture of Wearing Apparel, Textiles, etc. and other Light Manufacturing Operations, Refinishing and Polishing of Furniture, etc.	see Note C					.60	.60	.55
2	Operation of Bakeries, Cleaning Plants, Upholstering, Manufacture and/or Repair of Upholstered Furniture, Mattresses, Boats, etc.	see Note C					1.00	1.50	1.35
1	Retail Stores; Shoes, Clothing, Drugs, Variety, Jewellery, Records, Florists and Music, etc.	reclassified from Class 38 see Note D					.25	.20	.20
2	Retail Stores; Department, Hardware, Furniture, Appliances, Operation of Coin Operated Vending Machines, Printing, etc.	see Note D					.40	.40	.40



ASSESSMENT RATES

COMPARISON OF RATES OF ASSESSMENT FOR THE YEARS 1965 TO 1972

<u>Ass</u>	<u>Industry</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>
04	Retail Stores: Meat, Groceries, Home Provisioners, Manufacture of Sausages and Specialty Meats	see Note D					.80	.80	.80
01	Operation of; Radio and T.V. Stations, Credit Unions, Libraries, Art Galleries, Dental and Medical Clinics, Theatres, Photographers, Barber Shops, Trade Unions, Manufacture of Dental Supplies, Optical Products, Typewriters, etc.	see Note D						.25	.20
02	Operation of; Parking Lots, Parkades, Churches, Bowling Alleys, Golf Clubs, Skating and Curling Rinks, Buildings, Community Leagues, Janitor Services, etc.	reclassified from Class 39-37						.80	.80
02	Manufacture of Lumber (Per M.F.B.M.)	\$ 1.65	\$ 1.65	\$ 1.65	\$ 1.65	\$ 1.55	see Note A		
04	Operation of Retail Lumber Yards	1.50	1.50	1.50	1.65	1.65	1.65	1.45	1.45
01	Hospitals	reclassified from Class 39-39, see Note E					.45	.40	.40
02	Auxiliary Hospitals, Senior Citizen's Homes, Nursing Homes	see Note E					.85	.85	.90
01	Manufacture of Concrete Pipes, Culverts, Blocks, etc.	3.00	2.50	2.50	2.00	2.00	2.75	2.75	2.50
08	Operation of Gas or Oil Wells and Battery Tanks	.05	.05	.05	.05	.05	.10	.10	.15
09	Seismic Operations; Servicing of Gas or Oil Wells, by means of other than service rigs	1.40	1.40	1.50	2.00	2.25	2.25	2.25	2.25
10	Drilling of Gas or Oil Wells, etc.	5.25	5.50	5.25	5.00	4.50	4.00	3.50	3.00
11	Operation of Refineries; Manufacture of Paints, Cement, Chemicals, etc.	.50	.50	.50	.50	.60	.60	.60	.60
12	Natural Gas Distribution; Operation of Gas and Oil Pipe Lines	.30	.30	.35	.55	.65	.80	.80	.60
01	Automobile, Truck and Implement Dealers; Operation of Automobile and Truck Repair and Service Shops, etc.	1.45	1.60	1.60	1.50	1.35	1.35	1.30	1.20
02	Operation of Machine Shops, Foundries, etc.	2.50	2.50	2.50	2.50	2.35	2.35	2.35	2.20
04	Overhaul, Maintenance and Repair of Aircraft, etc.	.40	.40	.40	.75	.75	1.00	1.00	1.00
01	Operation of Grain Elevators	.90	.90	.90	1.00	1.50	1.10	1.10	1.35
03	Operation of Abattoirs, Meat Packing Plants, etc.	1.10	1.35	1.70	1.70	1.90	2.35	2.35	2.35
01	Wholesaling with Warehousing - (See Note D)	.45	.50	.55	.55	.55	.40	.40	.40
	Operation of Restaurants, Hotels, Local Catering, (See Note D)	.40	.45	.45	.50	.50	.80	.80	.80
01	Construction, General, Highway, Cement, Bridge, etc. Carpentry, Demolition, Excavating, Building Moving, etc. Operation of Sand, Shale or Gravel Pits; Concrete Mixing Plants	3.25	3.50	3.50	3.50	see Note B			
03	Painting; Plastering, Roofing, etc.	2.75	3.10	3.00	3.00	see Note B			

ASSESSMENT RATES

COMPARISON OF RATES OF ASSESSMENT FOR THE YEARS 1965 TO 1972

<u>Class</u>	<u>Industry</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>
39-04	Teaming, Trucking, Mail Contracting outside City Limits (excluding Rural Delivery or Staging Mail Routes) etc.	\$ 3.50	\$ 3.50	\$ 3.75	\$ 4.00	\$ 4.00	\$ 3.85	\$ 3.85	\$ 3.70
39-06	Plumbing, Electric Wiring, Metal Roofing, Heating, Tinsmithing, Floor Laying, etc.	1.90	1.90	1.90	1.90	see Note B			
39-08	Light and Power, Telephone and Telegraph Operations	1.00	1.00	1.25	1.25	1.25	1.35	1.35	1.50
39-37	Manufacture of Wood Pulp	.90	.90	.90	.90	.90	.90	.90	1.05
	Operation of Tanneries	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
	Loading and Unloading of Grain into or from Grain Elevators or Annexes	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
	Drilling of Water Wells	3.25	3.50	3.50	3.50	3.50	3.50	3.50	4.00
	Boat and Vessel Transportation; Fishing (By Application)	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
	Manufacture and Distribution of Ice Including Cutting of Natural Ice	5.00	5.00	5.00	5.00	5.00	5.00	2.50	2.50
	Mail Contractors Within City Limits	2.25	2.25	2.25	2.25	2.25	2.00	1.90	1.90
	Manufacture or Retreading of Rubber Tires	1.50	1.75	2.00	2.35	2.35	2.50	2.50	2.50
	Manufacture of Vehicles	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75
	Manufacture and Retipping of Diamond Bits	1.15	1.15	1.15	Reclassified to Class 10-02				
	Operation of Canneries	2.75	2.75	2.00	2.50	2.50	2.25	2.25	2.25
	Irrigation Systems	1.60	1.75	1.75	1.75	1.75	1.75	1.50	1.50
	Exhibition Associations	.80	.80	.80	.80	.80	.75	.60	.60
	Warehousing with Storage; Cold Storage	see Note D					1.10	1.25	1.25
	Extracting, Processing and Refining of Salt		.80	.80	.80	.80	reclassified to Class 15-11		
	Operation of Senior Citizen's Homes	1.00	1.00	1.00	1.10	1.10	reclassified to Class 14-02		
	Travelling Salesmen (By Application); Trade Unions (By Application)	.80	.70	.70	.70	.50	.25 reclassified to Class 12-01		
	Operation of Stockyards, Cattle Auction Markets (by application); livestock dealers (by application)	1.50	1.50	1.50	1.75	1.75	1.75	1.75	1.75
	General Surveying (by application)	2.00	2.00	2.00	2.00	2.00	2.00	1.75	1.75
	Consultant Engineering (by application)	.75	.60	.50	.50	.50	.50	.50	.50
	Radio and Television Transmission	see Note F			.30	.25	.25 reclassified to Class 12-01		
	Operation of Bus Lines	see Note G		.60	.50	.65	.65	.65	.65
	Bulk Oil, Propane and Fertilizer Distribution	see Note D					1.25	1.40	1.40
39-39	Operation of Active Treatment and Auxiliary Hospitals, Nursing Homes	.35	.35	.35	.45	.45	see Note E		
40	General Farming (by application)	4.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
89-1	Towns and Villages	2.15	2.00	2.00	2.00	1.85	1.75	1.70	1.70
89-2	Municipal Districts and Counties	1.25	1.15	1.15	1.15	1.05	1.00	.80	.80
89-3	Cities	.85	.95	.95	.95	.95	.95	.95	.95
97-2	School Divisions and City School Boards or Districts	.50	.50	.50	.70	.70	.70	.65	.65

Industries Not Otherwise Classified - Rates on Application

For further details a booklet "Classification of Industries and Provisional Assessment Rates" may be obtained from The Workmen's Compensation Board.

ASSESSMENT RATES

COMPARISON OF RATES OF ASSESSMENT FOR THE YEARS 1965 TO 1972

NOTES:

- A. The majority of employers in the lumbering industry requested the Board to change the method of assessment from a production basis to a payroll basis. Class 13-02 was analyzed and on November 1, 1969 Class 3-01 was created to cover Logging Operations, Class 3-02 was created to cover Manufacture of Lumber. Both Class 3-01 and 3-02 are assessed on a payroll basis the same as all other classes.
- B. Classes 39-01, 39-03 and 39-06 were analyzed during 1968 which resulted in nine new Classes 6-01 to 6-09 inclusive effective January 1, 1969. Industries whose costs were greater than revenues had rate increases and industries whose costs were less than revenues had rate reductions. In reviews such as these, five years experience is analyzed.
- C. In 1964 Classes 13-03, 20-03, 27-02 and 37-05 were analyzed and the various industries included in these classes were reclassified to new Classes 8-03, 8-04, 9-01, 10-01 and 10-02 effective January 1, 1966.
- D. In 1969, Classes 37-01 and 38 were analyzed resulting in most industries being reclassified to new Classes 11-01, 11-02, 11-04, 12-01 and 12-02, the remainder were reclassified to Class 39-37.
- E. Class 39-39 was analyzed in 1969 and new Classes 14-01 and 14-02 resulted effective January 1, 1970. In addition Senior Citizen's Homes were transferred from Class 39-37 to Class 14-02.
- F. In 1967, representatives of the Radio and Television Transmission industry requested the Board to review the class applicable to their operations. This was done and the industry was transferred to Class 39-37 effective January 1, 1968.
- G. When Class 20-03 was reviewed in 1964, it was decided that the Operation of Bus Lines would be transferred to Class 39-37 because of the nature of the operations. The change was made effective January 1, 1966.
- H. Class 15-09 was reviewed in 1971 and resulted in new Classes 4-02 and 4-06 effective January 1, 1973.
- I. Class 15-11 was also reviewed in 1971 and resulted in the Manufacture of Plastic Products being transferred to Class 39-37 effective January 1, 1973 at a rate of \$1.80.

<u>Rate Changes</u>	<u>1965 to 1968</u>	<u>1968 to 1972</u>	<u>1965 to 1972</u>
<u>Increased</u>	26	24	29
<u>Decreased</u>	9	28	26
<u>Same</u>	17	12	9
	52	64	64

APPENDIX D ⁶³

COMPARISON OF ASSESSMENT RATES (ALBERTA) FOR THE
YEARS 1965 TO 1972

THE WORKMEN'S COMPENSATION BOARD

ASSESSABLE PAYROLLS FOR 1971 AND

NUMBER OF OPEN ACCOUNTS AS AT DECEMBER 31, 1971

<u>CLASS</u>	<u>NUMBER OF ACCOUNTS</u>	<u>1971 PAYROLL</u>
1-00	8	\$ 9,100,000.
3-01	355	6,679,000.
3-02	267	12,477,000.
5-00	23	5,083,000.
6-01	2,386	143,711,000.
6-02	888	52,769,000.
6-03	954	34,771,000.
6-04	147	7,220,000.
6-05	99	3,979,000.
6-06	405	22,970,000.
6-07	1,156	67,598,000.
6-08	85	3,881,000.
6-09	17	2,058,000.
8-03	107	12,875,000.
8-04	304	36,491,000.
9-01	336	43,900,000.
10-01	582	25,583,000.
10-02	658	28,787,000.
11-01	1,620	45,001,000.
11-02	1,556	121,366,000.
11-04	682	36,831,000.
12-01	662	43,256,000.
12-02	734	20,188,000.
13-04	157	9,230,000.
14-01	120	93,770,000.
14-02	133	22,162,000.
15-01	35	5,552,000.
15-08	195	74,425,000.
15-09	257	23,952,000.
15-10	93	25,878,000.
15-11	146	63,065,000.
15-12	47	23,356,000.
20-01	2,879	117,595,000.
20-02	665	62,835,000.
20-04	59	9,104,000.
27-01	12	12,868,000.
27-03	99	36,172,000.
37-01	1,095	108,652,000.
38-00	1,713	78,015,000.
39-04	2,132	56,476,000.
39-08	21	12,116,000.
39-37	943	29,343,000.
39-98	805	70,434,000.
46-00	121	1,187,000.
89-01	264	9,219,000.
89-02	51	23,044,000.
89-03	10	97,913,000.
97-02	88	47,381,000.
Self insurers (excluding the Government of Canada which is not available)		421,051,000.
	<u>26,171</u>	<u>\$2,321,369,000.</u>

THE WORKMEN'S COMPENSATION BOARD

ESTIMATED ASSESSABLE PAYROLLS FOR 1972 AND

NUMBER OF OPEN ACCOUNTS AS AT DECEMBER 31, 1972

<u>CLASS</u>	<u>NUMBER OF ACCOUNTS</u>	<u>1972 PAYROLL</u>
1-00	6	\$ 8,460,000.
3-01	322	6,786,000.
3-02	237	12,029,000.
5-00	22	6,068,000.
6-01	2,613	126,414,000.
6-02	958	54,862,000.
6-03	1,056	36,703,000.
6-04	147	8,252,000.
6-05	96	3,994,000.
6-06	430	22,742,000.
6-07	1,206	64,700,000.
6-08	80	4,473,000.
6-09	20	2,914,000.
8-03	116	13,490,000.
8-04	323	39,814,000.
9-01	343	46,274,000.
10-01	634	28,598,000.
10-02	661	30,563,000.
11-01	1,673	48,290,000.
11-02	1,572	129,625,000.
11-04	711	39,501,000.
12-01	697	49,347,000.
12-02	782	22,288,000.
13-04	148	9,272,000.
14-01	119	104,035,000.
14-02	132	24,914,000.
15-01	29	5,019,000.
15-08	201	79,380,000.
15-09	258	24,695,000.
15-10	95	26,851,000.
15-11	147	64,965,000.
15-12	48	23,119,000.
20-01	2,883	122,750,000.
20-02	741	65,345,000.
20-04	62	9,838,000.
27-01	10	11,939,000.
27-03	94	37,021,000.
37-01	1,101	114,765,000.
38-00	1,721	83,256,000.
39-04	2,275	59,282,000.
39-08	13	12,786,000.
39-37	1,771	109,541,000.
46-00	125	1,251,000.
89-01	263	10,243,000.
89-02	49	24,626,000.
89-03	10	102,282,000.
97-02	90	51,051,000.
	<u>27,090</u>	<u>\$1,984,413,000.</u>

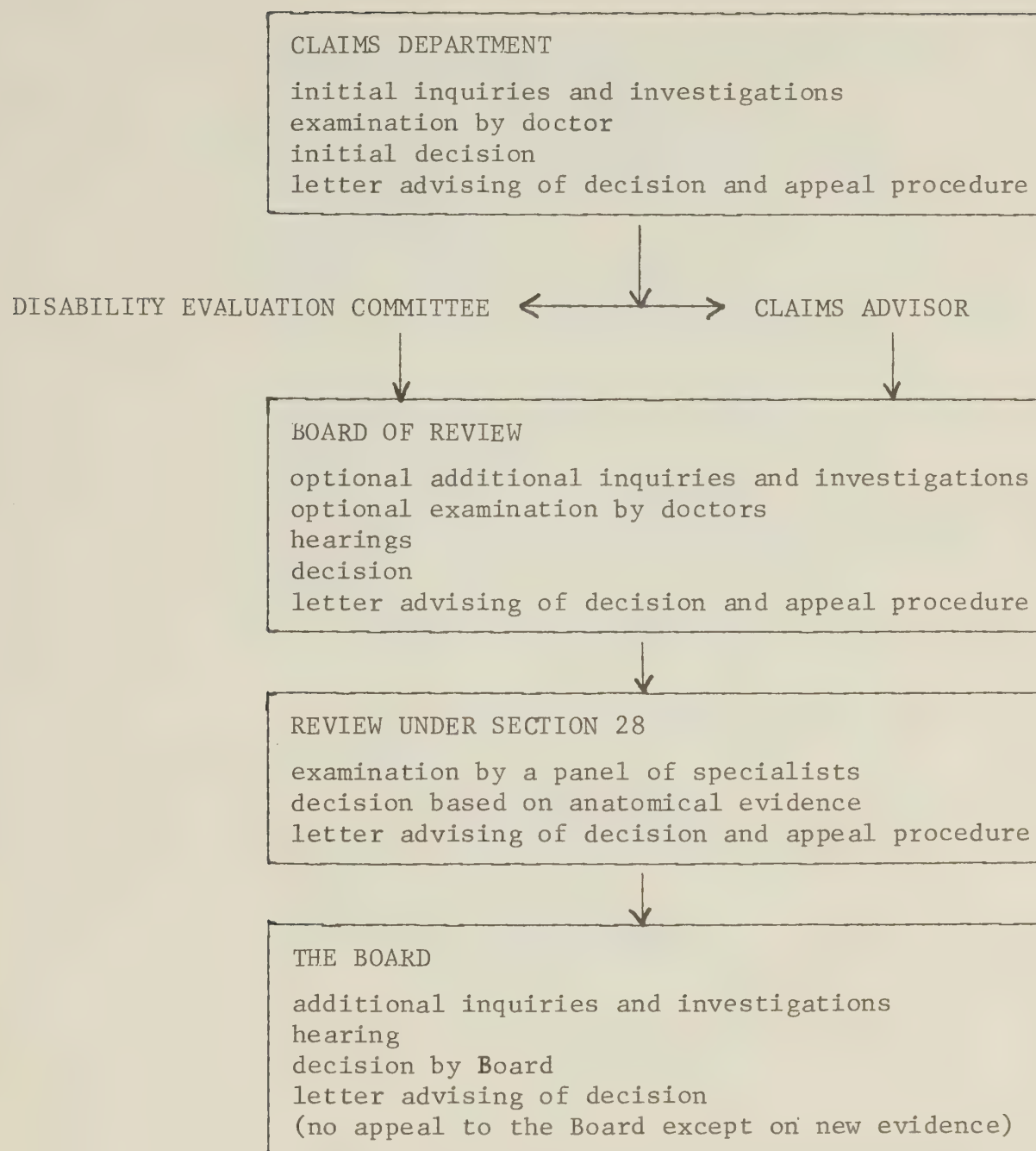
- NOTE: (1) The payroll figures are subject to amendment when the actual payroll returns for 1972 are received from employers.
- (2) No estimate of payroll for self-insurers has been included in this schedule.

APPENDIX E ⁶⁴

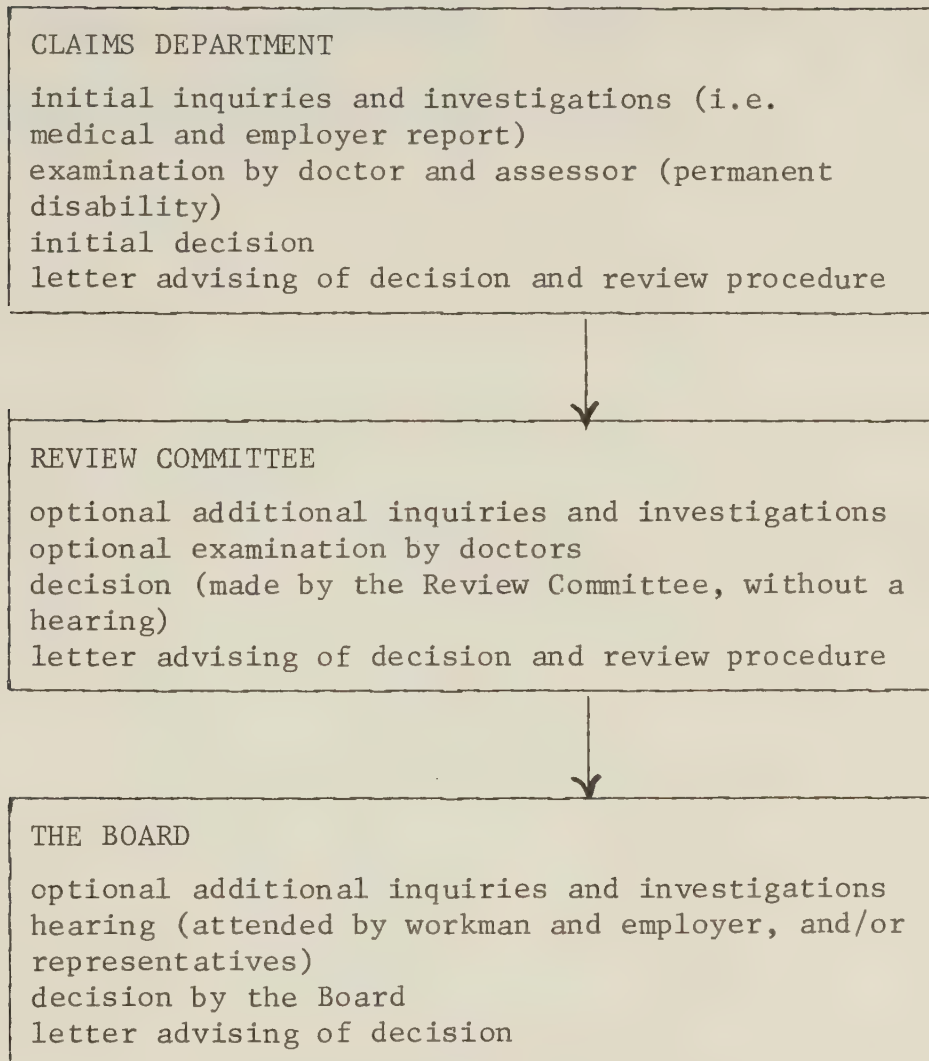
A) ASSESSABLE PAYROLL FOR 1971, BY CLASS (ALBERTA)

B) ASSESSABLE PAYROLL FOR 1972, BY CLASS (ALBERTA)

PRESENT REVIEW (APPEAL) PROCEDURE



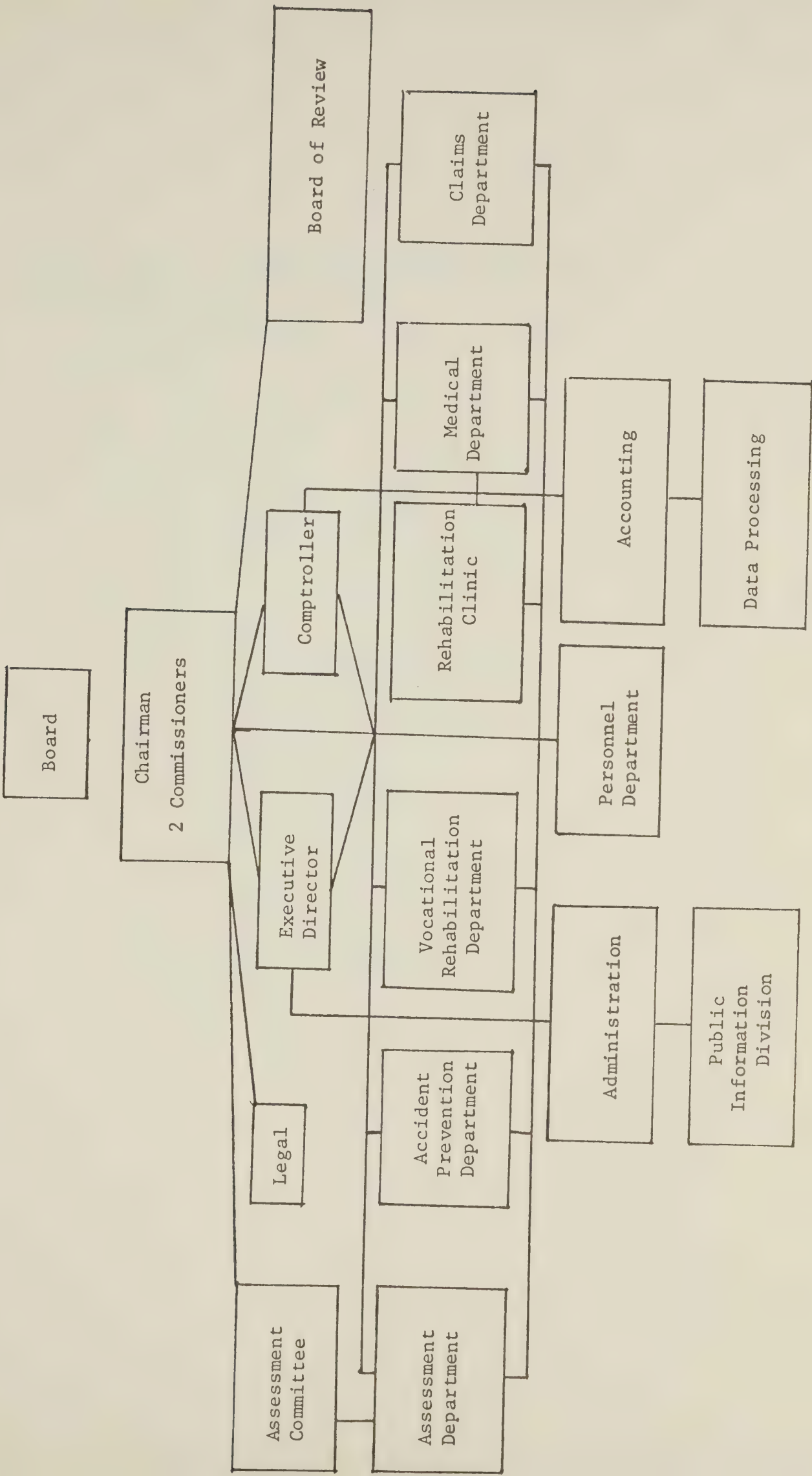
PROPOSED REVIEW (APPEAL) PROCEDURE



- A) PRESENT REVIEW (APPEAL) PROCEDURE (ALBERTA)
- B) PROPOSED REVIEW (APPEAL) PROCEDURE (ALBERTA)

THE WORKMEN'S COMPENSATION BOARD

Alberta



APPENDIX G ⁶⁶

ORGANIZATION CHART OF THE WORKMEN'S COMPENSATION BOARD
OF ALBERTA, 1972

*BRIEFS SUBMITTED BY ORGANIZATIONS, ASSOCIATIONS AND MUNICIPAL
AUTHORITIES REGARDING THE WORKMEN'S COMPENSATION ACT*

Action Group of the Disabled	Edmonton
Alberta Association of Fire Fighters	Lethbridge
Alberta Association of Safety Personnel (Edmonton Chapter)	Edmonton
Alberta Chiropractic Association	Edmonton
Alberta Federation of Labour	Edmonton
Alberta Funeral Directors and Embalmers Association	Calgary
Alberta Motor Transport Association	Calgary
Alberta Packers Safety Council	Edmonton
Alberta Road Builders Association	Edmonton
Alberta Roofing Contractors Association Ltd.	Calgary
Board of Trustees of Edmonton School District No. 7	Edmonton
Calgary Chamber of Commerce	Calgary
Canadian Association of Oilwell Drilling Contractors	Calgary
Canadian Linen Supply	Calgary
Canadian Manufacturers Association	Edmonton
Canadian National Railways	Edmonton
Canadian Pacific Limited	Edmonton
C-E Natco Limited	Calgary
City of Calgary	Calgary
Civil Service Association of Alberta	Edmonton
Coal Association of Canada	Calgary
Dominion Management Systems Ltd.	Calgary
Edmonton Chamber of Commerce	Edmonton
Edmonton Firefighters Association, Local 209	Edmonton
11-04 Safety Council	Calgary
Eventide Funeral Chapels Ltd.	Red Deer
International Railways Brotherhoods	Edmonton
Metal Trades Accident Prevention Association	Edmonton
Misericordia Hospital	Edmonton
Provincial Organization of Business & Professional Women's Clubs of Alberta	Calgary
Septic Tank Vacuum Service	Edson
Southern Paving Ltd.	Claresholm

BRIEFS SUBMITTED BY INDIVIDUALS REGARDING THE WORKMEN'S COMPENSATION ACT

Allers, A.	Westlock
Amerongen, G., M.L.A.	Edmonton
Anderson, J.F.S.	Calgary
Armstrong, R.	Edmonton
Bott, A.	Rocky Mountain House
Buchanan, C.J.	Athabasca
Campo, R.	Westlock
Chenard, G.	Westlock
Davy, F.J.E.	Edmonton
Dick, Mrs. E.C.	Calgary
Evans, J.E.	Ponoka
Farran, R.A., M.L.A.	Calgary
Faryna, Mrs. M.	Calgary
Fedoruk, H.	Edmonton
Fransen, R.H.	Sherwood Park
Fritze, R.C.	Castor
Ganzini, Mrs. E.	Edmonton
Halldorsen, Mrs. D.	High Prairie
Harris, K.B.	Edmonton
Horton, Mrs. M.T.	Edmonton
Johnson, W.S.	Lethbridge
Kovach, Mrs. J.	Blairmore
Krill, J.	Edmonton
Kuch, E.	Hanna
Lubchynski, Mrs. T. (on behalf of J. Lubchynski)	Edmonton
Martinella, A.	Edson
Mizera, Mr. & Mrs. P.	Calgary
Molecki, J.	Edmonton
Otto, W.	Edmonton
Powelson, R.	Edson
Resvick, W.E.	Calgary
Ross, Wm. M.	Calgary
Schade, H.	Edmonton
Schier, H.	Vimy
Sinclair, D.R.	Calgary
Smid, A.	Lethbridge
Stoochnoof, S.	Calgary
Stretch, Mrs. E.	Ponoka
Sutherland, J.A.	Calgary
Swanson, Mrs. E.H.	Lethbridge
Taylor, G.E., M.L.A. (representing Century Coals Ltd.)	Edmonton
Torris, E.	Calgary
Van Donk, M.C.	Coleman
Vanin, M.	South Edmonton
Webster, G.N.	Calgary
Webster, Mrs. G.P.	Drayton Valley
Wojtiw, S.	Edmonton
Wright, G.S.D.	Edmonton
Zyderveld, Mrs. J.	Olds

APPENDIX H

- A) BRIEFS SUBMITTED BY ORGANIZATIONS, ASSOCIATIONS AND
MUNICIPAL AUTHORITIES REGARDING THE WORKMEN'S
COMPENSATION ACT
- B) BRIEFS SUBMITTED BY INDIVIDUALS REGARDING THE
WORKMEN'S COMPENSATION ACT

PROPOSED PROGRAM CHANGES, APPROXIMATE ADDITIONAL ANNUAL COST, AND SOURCE OF REVENUE

Industry (Workmen's Compensation Board)	Government
1. Administrative changes (especially on appeal)	N/A
2. Expansion of the rehabilitation program (some portion of these costs will be borne by government as the result of greater co-operation)	N/A
3. Raising maximum ceiling to \$9,000.00	\$ 2,060,000.00
4. Equal death benefits for men or women	\$ 35,000.00
5. More adequate memorial expenses	\$ 35,000.00
6. Higher rate for nursing home care	\$ 40,000.00
7. Improved subsistence	\$ 450,000.00
8. Projection of the actuarial estimate, including a cost-of-living component on future pensions	\$ 4,200,000.00
9. Increased widows' pensions	\$ 3,600,000.00
ESTIMATED INCREASED ANNUAL COST	<div> <div></div> <div>\$2,165,000.00*</div> </div>

* This cost does not include provision for a cost-of-living component, compounded annually. However, the decline in the class size will counterbalance, over time, the effect of the inclusion of the cost-of-living component.

It is suggested that all charges (costs) payable by the Board and employers be fully capitalized as usual, and that the class balances be reduced by the appropriate amount, to be restored to their normal level as quickly as the Board determines is feasible. This is indirect amortization.

APPENDIX I

PROPOSED PROGRAM CHANGES, APPROXIMATE ADDITIONAL ANNUAL COST,
AND SOURCE OF REVENUE

